

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3730 of 2025

Arising Out of PS. Case No.-581 Year-2024 Thana- BARUN District- Aurangabad

Surendra Pandey S/O Parshuram Pandey R/O Village- Dhuria, P.S- Barun,
Distt.- Aurangabad, Bihar.

... .. Appellant/s

Versus

1. The State of Bihar
2. Manish Pandey S/O Late Ramlakhan Pandey R/O Village- Dhuriya, P.S- Barun, Distt.- Aurangabad.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ravindra Kumar, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 22-01-2026 Despite order of issuance of notice to respondent no. 2 dated 09.10.2025, none appears on behalf of the respondent no. 2.

2. Heard learned counsel for the appellant and the State.

3. This appeal has been filed against the order dated 28.08.2025 passed by learned District and Additional Sessions Judge-I-cum-Special Judge (SC/ST, NDPS & Children Act), Aurangabad in connection with Regular Bail Application No. 1008 of 2025, arising out of Barun P.S. Case No. 581 of 2024 registered under Sections 126(2), 115(2), 109, 103(1), 351(2), 3(5) of Bharatiya Nyaya Sanhita and Sections 3(1)(r) and 3(1)



(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for regular bail of appellant has been rejected.

4. As per prosecution case, informant, namely Manish Pandey, alleges that on 19.12.2024, he along with his father and brother was harvesting paddy crop, in the meantime, all the F.I.R. named accused persons, including this appellant, came there and threatened them to stop harvesting. It is further alleged that after some time, they again came variously armed and attacked informant, his father and brother and abused them by caste name. During assault, this petitioner stabbed the informant in the stomach and co-accused Vidya Bhushan Pandey assaulted on head of Ram Lakhan Pandey by means of *Garasa* causing his death on the spot.

5. Learned counsel for the appellant submits that from perusal of the F.I.R. it is apparent that specific accusation is against co-accused Vidya Bhushan Pandey and Chitranjan Pandey of causing death of the deceased. Allegation against appellant is general and omnibus and no specific role is attributed to the appellant and there is no allegation of abuse by caste name against the appellant. Appellant claims clean antecedent and is in custody since 25.08.2025. Charge-sheet has



already been submitted.

6. Learned Spl. Public Prosecutor for the State vehemently opposed the bail application.

7. Considering the nature of accusation and period of custody, this Court sets aside the impugned order and directs the release of above named appellant on bail on furnishing bail-bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-I-cum-Special Judge (SC/ST, NDPS & Children Act), Aurangabad in connection with Regular Bail Application No. 1008 of 2025, arising out of Barun P.S. Case No. 581 of 2024.

(Prabhat Kumar Singh, J)

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