

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3757 of 2025**

Arising Out of PS. Case No.-34 Year-2025 Thana- SC/ST District- Madhubani

Rambriksha Mahto, son of Ayodhi Mahto, Resident of village – Izra, Post-Izra. P.S. Rahika, District – Madhubani, Bihar.

... .. Appellant/s

Versus

1. The State of Bihar,
2. Sunil Paswan, son of Ganesh Paswan, Resident of Village – Izra, Ward No. 07, P.S. Rahika, District – Madhubani, Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sanjay Kumar Jha, Advocate
For the Respondent/s	:	Ms.Usha Kumari 1, S.P.P.
		Ms. Minakshi Kumari, Advocate
		Mr. Munish Kumar, Advocate
		Mr. Munna Ray, Advocate
		Mr.Shitanshu Shekhar Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 29-01-2026 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State, learned counsel for the informant/Respondent No. 2 and perused the case diary.

2. The instant appeal has been filed by the appellant against the order dated 26.08.2025 passed by learned court of Addl. Sessions Judge-1-cum- Special Judge (SC/ST), Madhubani, whereby the prayer for bail of the appellants in connection with Madhubani SC&ST P.S. Case No. 34 of 2025, under Sections 191(2), 191(3), 126, 115(2)117, 76, 318(4), 109, 316(5), 324(4), 352, 351(2) of the BNS and u/s 3(1)(r), 3(1)(w) (i), 3(2)(va) of SC/ST Act, was rejected.



3. Prosecution case, in short, is that the Appellant along with other co-accused named in the F.I.R. assaulted the informant and his family denoting his caste name.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. The name of the appellant has transpired on the basis of confessional statement of co-accused. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against him/her. The appellant has no intention to disgrace the image of the informant in public view. Learned counsel for the appellant further submits that other co-accused has been granted bail by this Bench vide order dated 20.11.2025 passed in Cr. Appeal (SJ) No. 3915 of 2025. The appellant is in custody since 09.08.2025 and has no criminal antecedents.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the



appellant, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 26.08.2025 passed by learned court of Addl. Sessions Judge-1-cum- Special Judge (SC/ST), Madhubani, in connection with Madhubani SC&ST P.S. Case No. 34 of 2025, is hereby set aside.

7. Let the appellant be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madhubani SC&ST P.S. Case No. 34 of 2025.

(Rudra Prakash Mishra, J)

manish/-

U		T	
---	--	---	--

