

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3856 of 2025

Arising Out of PS. Case No.-471 Year-2023 Thana- KARAHGAR District- Rohtas

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Jitendra Chaudhary, Son of Lalbachan Chaudhary, Resident of Village, Post and PS -Karaghar, District -Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Urmila Devi, wife of Dinesh Ram, Resident of Village, post and PS -Karaghar, District -Rohtas

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Siddharth Harsh, Advocate

For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 31-01-2026 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 07.08.2025 passed by learned Special Court, SC/ST, Rohtas at Sasaram whereby the prayer for bail of the appellant in connection with Karaghar P.S. Case No. 471 of 2023 under Sections 147, 148, 149, 323, 326A, 342, 354B, 448, 380, 302, 504 and 506 of the Indian Penal Code and Sections 3(i)(r)(s) and 3(2)(v) of SC/ST Act was rejected.

3. The case of the prosecution, in short, is that on 04.12.2023, the respondent and her husband were at home along with their children. Meanwhile the appellant along with others



came at the door of the respondent and started abusing the family of the respondent with their caste name. It is further alleged that one Umesh Chaudhary having rifle in his hand entered in the house of respondent and caught her. The appellant along with co-accused Sunny Chaudhary, Pawan Chaudhary and Basant Chaudhary abused the respondent and her children on the point of country made pistol and also tried to outrage her modesty. When the husband of the respondent came to rescue her, the appellant poured acid on his face and other accused who were armed with *lathi* started assaulting causing injury to the respondent.

4. It is submitted by learned counsel for the appellant that appellant is innocent and he has been falsely implicated in this case. No occurrence as alleged in the F.I.R. has ever taken place. As a matter of fact, the deceased used to recycle motor battery and got himself injured while recycling motor battery. It has further been submitted that the opinion of the doctor conducting the autopsy goes to show that the deceased has died due to heart disease as the injuries which are alleged cannot cause such perforation in heart. Learned counsel for the appellant has submitted that utmost the allegation against the appellant that he has sprinkled acid but from perusal of the



postmortem report, it is otherwise. It has also been submitted that occurrence is of 04.12.2023 at 9:00 A.M. whereas the F.I.R. has been filed on same day at 16:05 hours. There is delay in filing the F.I.R. Learned counsel for the appellant has further submitted that the doctors have also opined that time elapse since death is within 3-12 hours. The postmortem was conducted at 11.55 P.M. and if the time-frame which is suggested is calculated then the occurrence will not be of 9:00 A.M. It has also been submitted that the occurrence has taken place at the house of the informant, as such, the allegation of abusing the respondent with caste name is not in public view. The appellant is languishing in judicial custody since 25.07.2025.

5. The appeal for bail is vehemently opposed by learned Spl. P.P. for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 07.08.2025 passed in connection with Karaghar P.S. Case No. 471 of 2023 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Karaghar P.S. Case No. 471 of 2023 on



furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only)
with two sureties of the like amount each to the satisfaction of
the learned learned Special Court, SC/ST, Rohtas at Sasaram.

(Ashok Kumar Pandey, J)

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