

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3978 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- Kharagpur District- Munger

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Sandeep Kumar @ Sandeep Kumar Verma Son of Ramanand Verma @
Ramanand Sharma R/o Village - Mandir Tola, Dariyapur, P.S. -Haveli
Kharagpur, Dist. - Munger.

... .. Appellant/s

Versus

1. The State of Bihar
2. Sitaram Paswan Son of Chandra Narayan Paswan R/o Village - Dariyapur
Mandir Tola,, P.S. -Haveli Kharagpur, Dist. - Munger.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Surya Narayan Sah, Advocate
For the Respondent/s	:	Mr. Binay Krishna, SPP
For the Informant	:	Mr. Kumar Kamal Nayan, Advocate

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

ORAL ORDER

3 22-01-2026 Heard learned counsel for the appellant, learned

Special Public Prosecutor for the State and learned counsel for

the informant.

2. The instant appeal has been filed by the appellant
against the order dated 12.08.2025 passed by learned Additional
Sessions Judge, SC/ ST Act, Munger whereby the prayer for bail
of the appellant in connection with SC/ST Kharagpur P.S. Case
No. 114 of 2025 under Sections 137, 87 of the Bharatiya Nyaya
Sanhita, 2023 and Section 3(i)(r)(s) of SC/ST Act was rejected.

3. The allegation against the accused persons is of
kidnapping the daughter of the informant.



4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. Learned counsel further submitted that there is a delay of three days in lodging the FIR without plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submitted that on perusal of the statements of the victim recorded under Sections 180 and 183 BNSS, it appears that there is vital contradiction between the said two statements. Learned counsel further submitted that the appellant never kidnapped the victim and, as a matter of fact, the victim, who is major, left her house on her own sweet will and no any compulsion was given by the appellant. 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. The appellant has no intention to disgrace the image of the informant in public view. Charge-sheet has been submitted in this case. The appellant is in custody since 04.07.2025 and has no criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant stating that victim in her statement recorded under



Section 183 of the BNSS has supported the contents of the FIR.

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 12.08.2025 passed by learned Additional Sessions Judge, SC/ ST Act, Munger in connection with SC/ST Kharagpur P.S. Case No. 114 of 2025.

7. Let the appellant, abovenamed, be released on bail, ***after framing of charge, if not already framed***, 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 SC/ST Kharagpur P.S. Case No. 114 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the appellant.

(II) The appellant shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the appellant.

(III) If the appellant tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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