

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3953 of 2025

Arising Out of PS. Case No.-115 Year-2025 Thana- ROHTAS District- Rohtas

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Ramlayak Singh Son of Late Nathuni Singh Resident of Village
-Narayanchak PS and District -Rohtas

... .. Appellant/s

Versus

1. The State of Bihar bihar
2. Gulbani Devi Wife of Manoj Kumar Resident of Village -Narayanchak PS
and District -Rohtas

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Birendra Kumar Singh
For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 12-03-2026 Heard the parties.

2. This appeal is preferred against the order dated 29.08.2025 passed by the learned Special Judge, SC/ST Act, Sasaram, Rohtas in connection with Rohtas P.S. Case No. 115 of 2025 registered for the offence under Section 105 of the BNS and under section 3 (1) (s), 3(1)(r), 3(2)(va) of S.C/S.T. (POA) Act by which anticipatory bail filed by the appellant has been rejected.

3. As per the prosecution case, the appellant is said to have killed the deceased.

4. Learned counsel for the appellants submits that the appellant has falsely been implicated in this case and no offence



under the provisions of SC/ST Act and BNS Act is made out in this case as the occurrence has taken place when the deceased was beating his wife and the appellant tried to separate them but during the same, the incident took place. He further submits that the present is a case of culpable homicide which is not amounting to murder.

5. Learned counsel for the State has opposed the prayer of the appellant.

6. From the reading of the entire FIR it does not appear that offence has been committed because of the fact that the deceased was a member of the SC/ST community and therefore, this application for grant of anticipatory bail is held to be maintainable.

7. Considering the facts of the case and the rival submissions of the parties, this appeal is allowed and accordingly, the order dated 29.08.2025, is hereby set aside.

8. Let the appellant, in the event of his arrest or surrender within four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST Act, Rohtas at Sasaram/concerned Court below in in connection with Rohtas



P.S. Case No. 115 of 2025, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the BNSS.

(Sandeep Kumar, J)

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