

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4186 of 2025

Arising Out of PS. Case No.-372 Year-2024 Thana- NAWADA MUFFASIL District- Nawada

1. Raj Kumar Paswan Son of Late Shadev paswan Resident Of Village -Pran Bigha, Po- Akouna Bazar, Ps -Muffasil, Dist -Nawada
2. Mukesh Paswan @ Rupesh Paswan son of Munni Paswan@ Mundrika Paswan Resident Of Village -Pran Bigha, Po- Akouna Bazar, Ps -Muffasil, Dist -Nawada

... .. Appellant/s

Versus

1. The State of Bihar bihar
2. Vyas Muni son of Mr. Sanjay Majhi Resident Of Village -Dedaur Tola Krishna Nagar nadi par, Ps- Mufassil, Dist- Nawada

... .. Respondent/s

Appearance :

For the Appellant/s	:	Ms. Moni Kumari, Advocate
For the Respondent No.2	:	Mr. Rajesh Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, S.P.P.

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 09-01-2026 Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and Learned counsel for the Respondent No.2, and perused the case diary.

2. The instant appeal has been filed by the appellants against the order dated 11.09.2025 passed by Exclusive Special Judge, Spl. Court SC/ST Act, Nawada whereby the prayer for bail of the appellants in connection with B.P. No. 1244 of 2025, arising out of Nawada Muffasil P.S. Case No. 372 of 2024, under Sections 191(2), 193(3), 190, 109(1), 352, 351(2), 351(3), 326(g), 303(2), 111(3) and 61(2)(a) of the Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act and Section 3(1)



(f)(g)(r)(s)(w), 3(2)(va), 3(2)(v) of the SC/ST Act, was rejected.

3. Earlier vide order dated 30.01.2025 passed in Criminal Appeal (SJ) No. 5135 of 2024, regular bail of the Appellants was rejected by this Court considering the nature and gravity of the offence, with direction to the learned court below to expedite the trial and conclude the same expeditiously.

4. In compliance of the order dated 15.10.2025 passed in Criminal Appeal (SJ) No. 4157 of 2025, a report dated 30.10.2025 with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that out of sixteen witnesses, seven witnesses have been examined and remaining nine witnesses are yet to be examined.

5. Learned counsel for the appellants submits that the appellants are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. The name of the appellants has transpired on the basis of confessional statement of co-accused. Learned counsel for the appellants further submits that the appellants have 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 them. The appellants have no intention to disgrace the image of the informant in public view. Learned counsel for the Appellants further submits that other co-accused has been granted privilege



of bail by this Court on 16.09.2025 passed in Criminal Appeal (SJ) No. 1219 of 2025. The appellants are in custody since 19.09.2024 and have no criminal antecedent.

6. Learned Special P.P. for the State have vehemently opposed the prayer for grant of bail to the appellants.

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the appellants, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 11.09.2025 passed by Exclusive Special Judge, Spl. Court SC/ST Act, Nawada, in connection with B.P. No. 1244 of 2025 arising out of Nawada Muffasil P.S. Case No. 372 of 2024, is hereby set aside.

8. Let the appellants 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 Nawada Muffasil P.S. Case No. 372 of 2024.

(Rudra Prakash Mishra, J)

manish/-

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

