

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4255 of 2025

Arising Out of PS. Case No.-463 Year-2024 Thana- PARAIYA District- Gaya

Munna Singh @ Mukesh Kumar S/O Manoj Kumar Sharma @ Manoj Singh
R/O Village- Salempur, P.S.- Paraiya, Dist.- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Om Kumar S/O late Satyendra Paswan R/O Village- Dakhner, P.S.- Paraiya,
Dist.- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Aryan Singh, Advocate
For the Respondent/s	:	Mr. Binay Krishna, SPP
For the Informant	:	Mr. Dharendra Kumar, Advocate

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

ORAL ORDER

4 12-03-2026 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel for
the informant. Perused the case diary.

2. The instant appeal has been filed by the appellant against the order dated 02.09.2025 passed by learned Exclusive Special Judge, SC/ST Act, Gaya whereby the prayer for bail of the appellant in connection with Paraiya P.S. Case No. 463 of 2024 under Sections 103, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(i)(r)(s), 3(2)(va) of SC/ST Act was rejected.

3. The prosecution caosecutor for the State and learned counsel for the informant. Peruse, in short, is that the accused persons including the appellant brutally assaulted and killed the



informant's father by hatching a conspiracy.

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 general and omnibus allegation against the appellant and no any specific or direct overt act is attributed to the appellant. He further contended that there is no eye witness to the occurrence. Learned counsel further submitted that during investigation, none of the witnesses have supported the case of the prosecution. Learned counsel for the appellant further submitted 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. The appellant is in custody since 15.08.2025 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.

6. Considering the aforesaid facts and circumstances of the case, there being no direct material against the appellant 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 02.09.2025 passed by learned Exclusive Special Judge, SC/ST Act, Gaya in connection with Paraiya P.S. Case No. 463 of 2024 is hereby set aside.

7. Let the appellant, abovenamed, 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 Paraiya P.S. Case No. 463 of 2024, 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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