

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4453 of 2025

Arising Out of PS. Case No.-129 Year-2025 Thana- KATRA District- Muzaffarpur

Vikki Raut S/O Shambhu Raut R/O village- Lakhanpur, P.S.- Katra, District- Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Gopi Ram S/O late Ganpat Ram R/O village- Lakhanpur, P.S.- Katra, District- Muzaffarpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Ms.Bela Singh, Advocate
For the Informant	:	Mr. Pradeep Kumar Sinha, Advocate
For the Respondent/s	:	Mrs.Usha Kumari 1, S.P.P.

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/Respondent No. 2 and perused the case diary.

2. The instant appeal has been filed by the appellant against the order dated 26.09.2025 passed by Special Judge, SC/ST (POA) Act, Muzaffarpur, whereby the prayer for bail of the appellant in connection with Katra (Jajuaar OP) P.S. Case No. 129 of 2025, under Sections 103, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Section 3(2)(v) of SC/ST Act, was rejected.

3. Prosecution case, in short, is that on 19.05.2025 at 7.00 P.M. the younger grandson of the informant saw that Suraj



Kumar Kumar was taken away by the accused persons named in the F.I.R. including the appellant. When Suraj Kumar did not return to his home then informant started intense search, but failed to find any clue. On 20.05.2025, while informant went for call of nature then found dead body of Suraj Kumar Ram in Champa's orchard.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. 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. The prosecution case is solely based on suspicion based on circumstantial evidence. There is no eye witness to the alleged occurrence. Nothing has been recovered from the possession of the Appellant. There is no cogent material against the appellant. The appellant is in custody since 30.06.2025 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 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 26.09.2025 passed by Special Judge, SC/ST (POA) Act, Muzaffarpur, in connection with Katra (Jajuaar OP) P.S. Case No. 129 of 2025, is hereby set aside.

7. Let the appellant 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 in connection with Katra (Jajuaar OP) P.S. Case No. 129 of 2025.

(Rudra Prakash Mishra, J)

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