

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4688 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- KHUDAGANJ District- Nalanda

1. Raj Balam @ Raj Ballabh Kumar @ Raj Balay Kumar @ Raj Balam Kumar S/O Dina Jamedar @ Dina Jamendar @ Dina Jamadar Resident of Village - Akuri Bazar (Ankuri Bazar), P.S.- Khudaganj, District - Nalanda.
2. Lalit Kumar S/O Naresh Jamadar Resident of Village - Akuri Bazar (Ankuri Bazar), P.S.- Khudaganj, District - Nalanda.

... .. Appellant/s

Versus

1. The State of Bihar
2. Dheeraj Kumar S/O Nagendra Chaudhary R/O Village- Akuri Bazar (Ankuri Bazar), P.S- Khudaganj, Distt.- Nalanda.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shyamal Prakash, Advocate
For the Respondent/s : Mrs. Usha Kumari 1, Spl.PP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 03-02-2026 Heard learned counsel for the appellants and learned Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellants against the order dated 01.11.2025 passed by learned Additional Sessions Judge-VI-cum-Special Judge, SC/ST (POA Act), Bihar Sharif whereby the prayer for bail of the appellant in connection with Khudaganj P.S. Case No. 117 of 2025 under Sections 190, 191(2), 126(2), 115(2), 303(2), 109, 61, 352, 351(2) of B.N.S., 2023 and Sections 3(1)(r)(s), 3(2)(va) of SC/ST (POA) Act was rejected.

3. The case of the respondent in short is that both the



appellants, being armed with *Kudal* and an *iron rod*, attacked. It is further alleged that appellant no. 1 has snatched a golden chain and appellant no. 2, along with other accused persons, has assaulted with bricks.

4. It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case. Learned counsel for the appellants also submits that from perusal of the case of the respondent, it is clear that the only specific allegation against appellant no. 1, namely, Raj Balam @ Raj Ballabh Kumar, is that he has snatched a golden chain, whereas the allegation against appellant no. 2, namely, Lalit Kumar, is that he along with others has assaulted with bricks. He further submits that there is also a counter version of this case, which has been filed by one Kiran Devi (mother of co-accused Raju Kumar). He further submits that there is no allegation against the appellants that they have abused the respondent with a caste name; the said allegation is against other persons. He further submits that the appellants are having no criminal antecedent and they are languishing in judicial custody since 13.10.2025.

5. The appeal for bail is opposed by learned Spl. P.P. for the State.



6. Having heard learned counsel for the parties and taking into consideration, the facts and circumstances of the case, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 01.11.2025 is hereby set aside.

7. The appellants are directed to be enlarged on bail in connection with Khudaganj P.S. Case No. 117 of 2025 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge, SC/ST (POA Act), Biharsharif.

(Ashok Kumar Pandey, J)

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