

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4801 of 2025

Arising Out of PS. Case No.-132 Year-2025 Thana- KESARIA District- East Champaran

Sukhal Sah @ Balendra Sah Son of Pardeshi Sah R/o Village - Pakari Tola,
Sumera, P.S.- Kesariya, District - East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Rohit Kumar Baitha Son of Munni Lal Baitha R/o Village - Gram Kanshpur,
P.S.- Kesariya, District - East Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sheo Jee Mishra, Adv.
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-04-2026 1. Heard learned counsel for the appellant, learned
Spl. P.P. for the State, Mr. Binay Krishna and the learned
counsel appearing on behalf of the informant.

2. This is an appeal under Section 14-A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST
Act”) against the refusal of prayer for bail vide order dated
14.10.2025 passed by the learned Special Judge S.C./S.T. (POA)
Act, East Champaran, Motihari in connection with Kesariya P.S.
Case No. 132/2025 registered for the offences punishable under
Sections 115(2), 126(2), 118(2), 109, 351, 352, and 3(5) of the
BNS, 2023 read with Sections 3(i), (r)(s) of the SC/ST Act.



3. Learned counsel for the appellant submits that appellant is a person with clean antecedent and is in custody since 10.09.2025. It is next submitted that no doubt appellant is alleged to have assaulted the informant by sword causing injury on neck but then it is submitted that informant was teaching his child in the morning and thereafter he shifted his timing of teaching in the evening and when appellant came to know that informant was in an illicit relationship with his wife as such the occurrence took place. It is further submitted that even the assault is not alleged to be repeated and the injury suffered by the informant has been opined to be simple in nature. It is next submitted that if privilege of regular bail is granted to the appellant, the appellant will not abscond rather will cooperate in the trial to prove his innocence.

4. Learned Spl. P.P. for the State and the learned counsel appearing on behalf of the informant opposes the appeal.

5. In view of the submissions made by the learned counsel for the appellant, the order impugned is hereby set aside and the appellant abovenamed, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned Trial Court where the case is pending/successor
court in connection with Kesariya P.S. Case No. 132/2025.

6. Accordingly the appeal stands allowed.

(Satyavrat Verma, J)

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