

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4944 of 2025**

Arising Out of PS. Case No.-99 Year-2025 Thana- Champanagar District- Purnia

Santosh Rishi Son of Raghev Rishi Resident of village-Ghichora, Rahina,
Post-Sinhiya, P.S-champa Nagar, Dist-Purnea, Bihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Sanjay Kumar Marandi son of Chandradev Marandhi Resident of village-
Thathi Dharhar, Post- Sanjhaghaat, Ps- Dahamdha, Dist- Purnea

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rakesh Kumar Jha, Advocate
For the Respondent/s	:	Mr. Binay Krishna, SPP
For the Res. No. 2	:	Mr. Surendra Kumar Singh, Advocate

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

ORAL ORDER

3 12-03-2026 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State, 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 17.11.2025 passed by learned District
and Sessions Judge-I-cum-Special Judge, Schedule Caste/
Schedule Tribe (POA) Act, Purnea whereby the prayer for bail
of the appellant in connection with Champanagar P.S. Case No.
99 of 2025 under Sections 191(2), 191(3), 190, 126(2), 115(2),
118(2), 109, 308(2), 303(2), 119(1), 176, 329(3), 352, 351(2) of
the Bharatiya Nyaya Sanhita, 2023, read with Sections 3(1)(r)(s)
and 3(2)(va) of SC/ST Act was rejected.



3. Prosecution case, in short, is that the informant along with others had been allotted government land for cultivation and had been residing there. However, the appellant along with co-accused persons demanded extortion, assaulted them, stole valuables and damaged property.

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 also submits that no specific allegation has been attributed against the appellant rather the same is general and omnibus in nature. It is next submitted that the appellant has been implicated only on the basis of land dispute between the parties. 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 appellant is in custody since 07.09.2025 and has got one criminal antecedent in which he is on bail.

5. Learned Special P.P. for the State and learned counsel for the Respondent No. 2 have vehemently opposed the prayer for grant of bail to the appellant. Learned counsel for the



Respondent No. 2 submits that the trial is in progress and the injuries sustained by the injured are grievous in nature caused by hard and blunt object. Hence, the appellant does not deserve the privilege of bail.

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 17.11.2025 passed by learned District and Sessions Judge-I-cum-Special Judge, Schedule Caste/ Schedule Tribe (POA) Act, Purnea 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 Champanagar P.S. Case No. 99 of 2025.

(Rudra Prakash Mishra, J)

Rajorshi/-

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