

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5063 of 2025

Arising Out of PS. Case No.-229 Year-2025 Thana- RAJEPUR District- East Champaran

1. Rajendra Rai @ Rajendra Yadav S/O Late Kuldeep Rai R/O Vill.- Tetariya, P.S.- Rajepur, District- East Champaran, Motihari
2. Shashi Kumar S/O Rajendra Rai @ Rajendra Yadav R/O Vill.- Tetariya, P.S.- Rajepur, District- East Champaran, Motihari
3. Ravi Kumar @ Maharana Kumar S/O Rajendra Rai @ Rajendra Yadav R/O Vill.- Tetariya, P.S.- Rajepur, District- East Champaran, Motihari

... .. Appellant/s

Versus

1. The State of Bihar
2. Rupa Devi W/O Dharikshan Paswan R/O Vill.- Tetariya, P.S.- Rajepur, District- East Champaran, Motihari

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rajesh Kumar, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. P.P.
For the Informant	:	Mr. Shivesh Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

5 17-07-2026 Heard learned counsel for the appellants and learned Special Public Prosecutor for the State and learned counsel for the informant.

2. The instant appeal has been filed by the appellants against the order dated 27.11.2025 passed in Anticipatory bail petition No. 4592 of 2025 passed by learned Special Judge SC/ST Act, East Champaran, Motihari, whereby the prayer for bail of the appellants in connection with Rajepur P.S. Case No. 229 of 2025 registered for the offences under Sections 126(2), 115(2), 74, 303(2), 352, 351(2), 3(5) B.N.S. and 3(1)(r) & 3(1)



(s) SC/ST Act, was rejected.

3. As per the prosecution case, the allegation against the appellants is that they have abused the informant by taking caste name and Appellant no. 2 assaulted the informant with iron rod on the head and Appellant no. 1 snatched the gold chain from the informant's neck.

4. Learned counsel for the appellants has submitted that the appellants are innocent and have falsely been implicated in the present case. He further submitted that the allegations are general and omnibus in nature. There is no overt act against the appellants and the appellants have clean antecedents. He further submitted that during the course of investigation Police did not find any material against the appellants. Learned counsel for the appellants has also submitted that the appellants have 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 them. The appellants have no intention to disgrace the image of the informant in public view.

5. Learned Special P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the appellants. Learned counsel for the informant has also submitted that there is specific allegation of



assault against the appellants, therefore, they do not deserve the benefit of bail.

6. Considering the aforesaid facts and circumstances of the case, and the fact that there is general and omnibus allegation has been made against the Appellant No. 1 Rajendra Rai @ Rajendra Yadav and Appellant No. 3 Ravi Kumar @ Maharana Kumar, this Court is inclined to allow this appeal against appellant nos. 1 & 3. Accordingly, the appeal is allowed against appellant nos. 1 & 3 and order dated 27.11.2025 passed by learned Special Judge SC/ST Act, East Champaran, Motihari, in connection with Rajepur P.S. Case No. 229 of 2025, is hereby set aside.

7. Let the above named Appellant no. 1 Rajendra Rai @ Rajendra Yadav and Appellant No. 3 Ravi Kumar @ Maharana Kumar, in the event of their arrest/surrender before the learned Court below within a period of six weeks from today, 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 Court below/concerned Court in connection with Rajepur SC/ST P.S. Case No. 229 of 2025, subject to the conditions as laid down under Section 482(2) of the Bhartiya Nagarika Suraksha Sanhita, 2023.



8. So far as appeal filed on behalf of Appellant No. 2 Shashi Kumar is concerned, taking into account the facts and circumstances of the case and specific allegation of assault against the appellant no. 2, this Court is not inclined to allow appeal of appellant No.2 Shashi Kumar, hence, appeal of appellant No.2 is rejected.

9. If the Appellant No. 2 surrenders before the learned Trial Court and makes a prayer for regular bail, the learned Court below, without being prejudiced with this order, may examine the same and pass appropriate order in accordance with law.

(Alok Kumar, J)

Bipin/-

U		T	
---	--	---	--

