

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3353 of 2024

Arising Out of PS. Case No.-135 Year-2023 Thana- KESARIA District- East Champaran

Kunal Raj @ Rupesh Kumar Son of Hari Kishor Ray Resident of Vill.-
Raghunathpur, P.S.- Kesariya, District - East Champaran

... .. Appellant/s

Versus

- 1. The State of Bihar
- 2. Pramod Paswan Son of Late Manu Paswan Resident of Vill.- Raghunathpur,
P.S.- Kesariya, District - East Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Kundan Rathore
For the Respondent/s : Mr. Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 21-09-2024 Heard learned counsel for the appellant as well as learned
APP for the State.

2. In this case, the appellant is seeking regular bail in connection with Kesariya P.S. Case No. 135 of 2023, registered for the offences punishable under Sections 302, 120(B), 34 of the Indian Penal Code and Section 3(2), (v) SC/ST (POA) Act, 2015.

3. As per allegation, the appellant along with one co-accused person came at the house of the informant and they took away the informant's son. After that informant's son did not come back home. On next morning, dead body of the informant's son was found on the road near village.

4. It is submitted by learned counsel for the appellant that the appellant has been falsely implicated in this case due to previous



village politics. No offence is made out under the provisions of the SC/ST Act against him. Nothing incriminating article has been recovered in respect of commission of murder of the informant's son. A statement has been made in para-3 of this petition that the appellant has got no criminal antecedent. Moreover, he is languishing in judicial custody since 07.04.2024. A co-accused person namely, Dheeraj Kumar has already been granted bail by a coordinate Bench of this Court vide order dated 05.10.2023 passed in Cr. Misc. No. 3289 of 2023.

5. Considering the above-mentioned facts and circumstances, let the appellant above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST East Champaran, Motihari in connection with Kesariya P.S. Case No. 135 of 2023, subject to the following condition:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

Guddu/-

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

