

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3491 of 2024

Arising Out of PS. Case No.-255 Year-2024 Thana- OBRA District- Aurangabad

MD. ARMAN ALAM SON OF MD. MUSTAKIM ALAM Resident of
Village - Obara, P.S. - Obara, District - Aurangabad

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. RAJKUMAR PASWAN SON OF LATE RAMSWAROOP PASWAN
Resident of Village - Obara, P.S. - Obara, District - Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rajani Ranjan Pd. Singh, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP
For the Informant	:	Mr. Aman Vishal, Advocate

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

ORAL ORDER

3 20-12-2024 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel for
the informant. Perused the case diary.

2. The instant appeal has been filed by the appellant
against the order dated 01.07.2024 passed by learned Special
Judge, SC/ST Act-cum-1st Additional Sessions Judge,
Aurangabad whereby the prayer for bail of the appellant in
connection with Obara P.S. Case No. 255 of 2024 under Sections
302/34 of the Indian Penal Code and 3(1)(r), 3(1)(s), 3(2)(va) of
SC/ST Act was rejected.

3. Allegation against the appellant is that he along with
other co-accused persons committed the murder of the



informant's father.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. The name of the appellant has transpired on the basis of disclosure made by co-villager Md. Suleman. 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. Learned counsel further submitted that T.I.P. has not been conducted till date. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 05.06.2024 and has no criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant, stating that as per the paragraph no. 48 of the case diary, one Md. Suleman has specifically stated the active participation of this appellant in the commission of murder of the deceased which is further supported by the post-mortem report of the deceased. Learned SPP for the State and learned counsel for the informant, therefore, pray that appellant may not be released on bail.

6. Considering the aforesaid facts and circumstances



of the case as also the active participation of the appellant in the commission of murder of the deceased, this Court is not inclined to grant bail to the appellant.

7. Accordingly, the present appeal is dismissed.

(Rudra Prakash Mishra, J)

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