

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4699 of 2023

Arising Out of PS. Case No.-523 Year-2021 Thana- BARH District- Patna

RAJESH KUMAR @ PAPLU KUMAR S/o Uday Narayan Sharma R/o
village- Pandarak, P.S.- Pandarak, District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Dharamraj Kumar S/o Sri Krishna Mohan Prasad R/o village- Gopkita, P.S.-
Pankarak, District- Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shashi Bhushan Singh, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. Public Prosecutor Mr. Arun Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-06-2024 Heard the parties.

2. This criminal appeal has been filed against the order dated 14.09.2023 passed by learned Exclusive Special Court, SC/ST Act, Patna in connection with Barh P.S. Case No. 523 of 2021, registered under Sections 307, 302, 120B/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

3. Allegation against the appellant is to commit murder of brother of the informant Priyaranjan Kumar @ Gore Lal Yadav along with other co-accused persons by causing



firearms injury, while he was returning from a marriage party, in the background of local political rivalries. Brother of the informant died during treatment. In the occurrence, Rajesh Kumar also sustained gunshot injuries and died.

4. Learned counsel for the appellant submits that the appellant is innocent and he has falsely been implicated in this case due to political rivalry. There is general allegation against the appellant and other co-accused persons that they have shot fire at the informant's brother.

5. However, learned Spl. Public Prosecutor appearing for the State and learned counsel for the respondent No. 2 vehemently opposed the prayer for bail and submitted that the appellant is named in the F.I.R. and there is specific allegation of firing against him.

6. Considering the nature of accusation, I do not find any ground to interfere with the order of the learned court below and as such, the appeal, which has been filed for grant of anticipatory bail, is hereby rejected.

(Prabhat Kumar Singh, J)

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