

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5004 of 2024

Arising Out of PS. Case No.-94 Year-2022 Thana- SASARAM MUFFSIL District- Rohtas

Pintu Paswan Son of Late Lal Bahadur Paswan village- Jorar, PS- Ramgarh,
Dist- Kaimur (bhabua)

... .. Appellant

Versus

1. The State of Bihar
2. Sukhan Ram son of Late Bagendu Ram village- Karmahari, Mohania, Ward no. 2, ps- Mohania, dist- kaimur Bhabua

... .. Respondents

Appearance :

For the Appellant : Mr. Manoj Kumar Singh, Advocate
For the Respondents : Ms. Usha Kumari 1, Spl. PP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 20-12-2024 Heard Ld. counsel for the appellant and Ld. Special
Public Prosecutor for the State.

2. This criminal appeal has been filed to enlarge the appellant on bail, impugning the order dated 23.08.2024, passed by learned A.D.J-XVII-cum-Exclusive Special Judge, SC/ST, Rohtas at Sasaram, in connection with Sasaram(M) Karvandiya (O.P.) P.S. Case No. 94 of 2022 (Regd. No.54 of 2022), registered for the offences punishable under Sections 302, 201, 120B, 406, 420 of the Indian Penal Code and Section 3(2)(V) of the SC/ST Act, whereby bail has been denied to the appellant.

3. The prosecution case as emerging from the FIR is that the elder son of the informant was killed by unknown and



the scorpio vehicle of the informant was looted away.

4. Ld. counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. He further submits that the Petitioner is not named in the FIR and he is in custody since 28.11.2022.

5. It has also been stated in paragraph no. 3 of the appeal that the appellant has no criminal antecedent.

6. However, Ld. Special Public Prosecutor for the State vehemently opposes the prayer of the appellant for bail submitting that the alleged offence is very serious in nature and there is sufficient material in the case diary implicating the appellant. He further submits that as per the material on record, the appellant had hired the scorpio vehicle of the informant and on the way the son of the informant was killed and the vehicle was taken away. In support of the prosecution case, there is sufficient material collected during investigation; like the appellant was seen together with the deceased at the petrol pump as well as his talk with the person with whom he wanted to sell the said vehicle. He further submits that the first Cr. Appeal (SJ) No. 1667 of 2023 of the appellant for enlargement on bail has been rejected vide order dated 21.09.2023 and the second time when he again filed Cr. Appeal (SJ) No. 3867 of



2024 for his enlargement on bail, it was withdrawn vide order dated 18.10.2024 and this is the third Cr. Appeal filed by the appellant for enlargement on bail. He further submits that seven prosecution witnesses have already been examined during trial and they all have supported the prosecution case against the appellant.

7. Considering the aforesaid facts and circumstances, I am not persuaded to enlarge the appellant on bail. As such, there is no infirmities in the impugned order.

8. This appeal is dismissed, accordingly.

(Jitendra Kumar, J.)

Chandan/
Ravishankar-

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