

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.146 of 2025

Arising Out of PS. Case No.-187 Year-2024 Thana- TEKARI District- Gaya

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Guddu Sharma S/O Ramanuj Sharma @ Ramanuj Kumar Resident of village
- Noni, P.S- Tekari, Dist.- Gaya

... .. Appellant/s

Versus

1. The State of Bihar
2. Tikar Manjhi S/O Late Vishnudhari Manjhi Resident of village - Noni, P.S-
Tekari, Dist.- Gaya

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Aryan Singh, Advocate

For the Respondent/s : Mrs. Usha Kumari 1, Spl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-08-2025 Heard learned counsel for the appellant and learned
Spl. Public Prosecutor for the State.

2. The present appeal has been filed for setting aside the order dated 14.11.2024 passed in B.P. No. 317 of 2024 by learned Exclusive Special Judge, SC/ST, Gaya in connection with Tekari P.S. Case No. 187 of 2024 for the offences under Sections 302/34 of the Indian Penal Code and Sections 3(2)(v) of the SC/ST (POA) Act whereby and whereunder the prayer of the appellant for regular bail has been rejected.

3. As per the prosecution case, in the night of 28.04.2024, when informant returned home after attending a wedding, he found that dead body of his son was lying on the



ground covered with *Saree*, having rope marks on the neck. It is alleged that some days prior to the incident, an altercation took place between the son of informant and co-accused Sunil Singh whereby all the F.I.R. named accused persons including this appellant abused informant and his son and threatened to kill them. Informant suspects that appellant along with other F.I.R. named accused persons killed his son in retaliation to the prior altercation.

4. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. From perusal of the F.I.R., it is evident that this appellant along with co-accused Sunil Singh took the son of informant to attend the marriage but, thereafter, his dead body was found in the house of informant itself. No external injury was found on the body of deceased. Informant is not an eye witness of the occurrence and appellant has been made accused in this case only on suspicion. There is no allegation of abuse by caste name in the F.I.R. as such, no case under SC/ST Act is made out against appellant. Appellant claims clean antecedent and is in custody since 22.09.2024. Charge-sheet has already been submitted.

5. Learned Spl. Public Prosecutor for the State vehemently opposed the prayer of the appellant.



6. Considering the nature of accusation, period of custody and other facts and circumstances of the case, this Court sets aside the impugned order and directs the release of above named appellant on bail on furnishing bail-bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST, Gaya in connection with Tekari P.S. Case No. 187 of 2024.

(Prabhat Kumar Singh, J)

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