

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.417 of 2025

Arising Out of PS. Case No.-175 Year-2023 Thana- DHANSOI District- Buxar

Nandlal Bharti @ Nandlal Ram S/O Late Satya Narayan Ram Resident of village- Chapatahi, P.S.- Dhansoi, Dist.- Buxar.

... .. Appellant/s

Versus

1. The State of Bihar
2. Srikant Ram S/O Late Sahendra Ram Resident of village- Chapatahi, P.S.- Dhansoi, Dist.- Buxar.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Arun Kumar Gupta, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP
For the Respondent No.2:	:	None

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

6 31-07-2025 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State and perused the case diary. Despite valid service of notice, none appears on behalf of Respondent No. 2.

2. The instant appeal has been filed by the appellant against the order dated 25.10.2024 passed by learned Additional Sessions Judge 1st-cum-Special Judge SC/ST (POA) Act, Buxar whereby the prayer for bail of the appellant in connection with Dhansoi P.S. Case No. 175 of 2023 under Sections 302, 504, 506/34 of the Indian Penal Code, read with Section 27 of the Arms Act and Section 3(2)(v) of SC/ST Act was rejected.



3. Prosecution case, in short, is that the appellant along with other co-accused persons entered into the hut of the informant various armed with pistol and killed father of the informant and also hurled caste slurs.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the appellant also submits that there is delay of two days in lodging the FIR. The allegation levelled against the appellant is not specific rather general and omnibus in nature. 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. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 24.10.2024 and has got one criminal antecedent in which he is on bail.

5. Learned Special P.P. for the State has vehemently opposed the prayer for grant of bail to the appellant and submits that there is specific allegation against the appellant of committing murder of informant's husband. It is further submitted that post-mortem report of the deceased also



corroborates with the prosecution case. Hence, the appellant does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, specific allegation as also nature and gravity of the offence, this Court is not inclined to grant bail to the appellant at this juncture.

7. Accordingly, the appeal stands dismissed. The trial Court is directed to expedite the trial. However, if the trial is not concluded within a period of six months from the date of receipt/production, the appellant will have liberty to renew his prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

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