

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.477 of 2025

Arising Out of PS. Case No.-462 Year-2024 Thana- MAHARAJGANJ District- Siwan

Shivam Kumar Singh So of Govind Singh @ Yogendra Singh Resident of
village- Sapan Vighra, P.S.- Daraunda. Dist.- Siwan

... .. Appellant/s

Versus

1. The State of Bihar
2. Shushil Kumar Paswan son of Late Bharat Manjhi Resident Of Village -
Sherpur, Ps- Daraunda, Dist- Saran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Dewanand Tiwari, Advocate

For the Respondent/s : Mr. Sadanand Paswan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-03-2025 Heard learned counsel appearing on behalf of
appellant and Spl. Public Prosecutor.

2. This criminal appeal has been filed against the order dated 18.12.2024 passed by learned 1st Additional Sessions Judge cum Special Court, Siwan in ABP No. 2994/24 connection with Mahrajganj P.S. Case No. 462 of 2024, registered under Sections 126(2), 103(1), 61(2), 3(5) of the Bharatiya Nyaya Sanhita and Section 3(i)(r)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellant has been rejected.

3. As per prosecution case, on the alleged dated and



time of occurrence, while father of the informant was returning on motorcycle and reached near Global Public School, this appellant along with other F.I.R. named accused persons indiscriminately fired upon him as a result of which he, subsequently, died.

4. It is submitted appellant on behalf of the appellant that appellant is innocent and has committed no offence. As a matter of fact, appellant was not present at the place of occurrence at the relevant time as he had gone to Delhi on 30.08.2024. Allegation of assault is general and omnibus and there is no allegation of firing against the appellant. It is not the case of informant that the alleged incident occurred within public view, as such, no offence under SC/ST Act is made against the appellant.

5. However, learned Spl. Public Prosecutor appearing for the State vehemently opposes the prayer for bail and submits that this appellant and other named accused persons caused death of the father of the informant and appellant has got two criminal antecedents.

6. Considering the nature and gravity of accusation and criminal antecedents, 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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