

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.528 of 2025

Arising Out of PS. Case No.-141 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Bhaskar Jha @ Anku @ Bidhayak S/o- Bishnudeo Jha Resident of village-
Nepra PS- Dandkhora District-Katihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Dinesh Paswan, S/o- Late Gorelal Paswan Village- Driver Tola Ps- Katihar
Town, Dist- Katihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Thakur- Advocate Ms. Vaishnavi Singh- Advocate
For the State	:	Mr. Sadanand Paswan- Spl. P. P.
For the Informant	:	Mr. Y. C. Verma- Sr. Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-03-2025 1. Heard learned counsel for the appellant, the learned
Special Public Prosecutor for the State and the learned senior
counsel appearing on behalf of the informant.

2. The appellant has challenged the order dated
28.10.2024 passed by Sri Avinash Sharma, the learned
Additional District & Sessions Judge-1-cum-Special Judge, SC
& ST, Katihar in connection with G.R. No.1217 of 2024 arising
out of Katihar Nagar P. S. Case No.141 of 2024, instituted for
the offences under Sections 302, 120(B)/ 34 of the Indian Penal
Code, Section 27 of the Arms Act and later on, charge-sheet has
been submitted under Sections 302, 120(B)/34 of the I.P.C. and
Section 3(2)(v) of the Scheduled Castes & Scheduled Tribes



(Prevention of Atrocities) Act and Sections 25(1-b)a, 26, 27 and 35 of the Arms Act, whereby his prayer for grant of bail has been rejected.

3. The learned counsel for the appellant submits that appellant has antecedent of three cases and is in custody since 23.03.2024. It is further submitted that one of the case recorded at Para-3 of the appeal was instituted after institution of the instant case. It is next submitted that informant alleges that his brother was killed by unknown accused and while fleeing, one accused was apprehended, who disclosed his name as Alok Pradhan. It is further submitted that Alok Pradhan in his confessional statement did not name the appellant rather named Ravi and Prashant. It is next submitted that during the course of investigation, it transpired that Ravi and Prashant had talked to the appellant. It is also submitted that all accused, who were apprehended prior to the appellant, they had not named the appellant in their statement before the police, but then, once the appellant was arrested and after his arrest, all the accused, who came to be arrested, they named the appellant, but not as assailant. It is further submitted that from the house of the appellant, 10 cartridges along with a country-made pistol was recovered for which one separate FIR has been instituted as



recorded at Para-3. It is also submitted that appellant earlier was employed as a recovery agent, as such, two cases were instituted against him, when he had gone to recover the vehicle.

4. The learned Special P. P. and the learned senior counsel appearing on behalf of the informant opposes the appeal and submits that in the event, if privilege of bail is granted to the appellant, the appellant may abscond as charges till date has not been framed.

5. At this stage, the learned counsel for the appellant seeks permission to withdraw the present appeal with liberty to renew his prayer after framing of charge.

6. Permission is accorded.

7. Accordingly, instant appeal is dismissed as withdrawn.

(Satyavrat Verma, J)

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