

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.486 of 2025

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

Raju Sharma @ Raju Kumar Sharma Son of Gopi Sharma @ Gopi Kishan
Sharma Resident of Gami Tola, PS and District-Katihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Dinesh Paswan Son of Late Gore Lal Paswan Resident of Driver Tola, P.S.-
Katihar Town, Distt.- Katihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Amit Srivastava, Sr. Adv. Mr. Akhauri Kamal Kishore Sahay, Adv. Mr. Girish Pandey, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 01-08-2025 1. Heard the learned Senior counsel for the appellant

Mr. Amit Srivastava and the learned Special P.P. Mr. Sadanand
Paswan and the learned Senior counsel appearing on behalf of
the informant Mr. Anshul.

2. This is an appeal under Section 14-A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST
Act”) against the refusal of prayer for bail vide order dated
08.01.2025 in G.R. No.1217/2024, arising out of Katihar Nagar
P.S. Case No.141/2024 passed by the learned District and
Additional Sessions Judge-I-cum-Special Judge, SC/ST-cum-
Children Court, Katihar, registered under Sections 302, 120(B),



34 of the Indian Penal Code as well as Sections 3(2)(v) of the SC/ST Act and 25(1-B), 26, 27 and 35 of the Arms Act.

3. Learned counsel for the appellant submits that appellant had earlier moved before this Court seeking regular bail by filing Cr. Misc. No.79521/2024 and the same was permitted to be withdrawn in terms of the order dated 05.10.2024 in Cr. Misc. No.66650/2024 by an order dated 20.12.2024 (Annexure-A/1). The learned Senior counsel next submits that appellant has antecedent of two cases and one of the case is under the Excise Act and the other case is under minor Sections of the Indian Penal Code.

4. The learned Senior counsel for the appellant further submits that appellant is in custody since 07.04.2024 and charge sheet has been submitted and thereafter charges have been framed by an order dated 03.04.2025. It is next submitted that apart from the name of the appellant transpiring in the confessional statement of the apprehended accused, during the course of investigation, it also transpired that appellant along with seven others had made online payment of Rs.3000/- to the landlord, where the alleged shooter, who shot the brother of the informant, stayed along with Raja Jha. The learned Senior counsel next submits that had the appellant been aware of the



fact that the alleged shooter would stay in the house, for which, he had made online payment of Rs.3000/-, in that event, the appellant would never have created digital evidence against himself.

5. The learned Special Public Prosecutor Mr. Sadanand Paswan and the learned Senior counsel appearing on behalf of the informant opposes the prayer for regular bail of the appellant.

6. Considering the submission of the learned counsel for the appellant, the order impugned is set aside. Let the appellant, above named, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with the aforesaid case.

7. Further, one of the bailors of the appellant shall be his father, namely, Gopi Sharma @ Gopi Kishan Sharma.

8. It is made clear that if the learned trial court comes to a conclusion that appellant after his release is trying to delay the trial in any manner or does not appear on two consecutive dates, in that event, the learned trial court shall be at liberty to



cancel the bail bonds of the appellant.

9. Accordingly, the impugned order is set aside and
this appeal stands allowed.

(Satyavrat Verma, J)

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