

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.611 of 2025**

Arising Out of PS. Case No.-280 Year-2023 Thana- PAKRIDAYAL District- East Champaran

Amarjeet Paswan @ Amarjit Paswan S/o Late Prabhakar Paswan Resident of
Village- Sisahni, PS- Pakaridayal, Distt.- East Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Sunita Devi W/o Jaya Kishore Paswan Resident of Village- Sisahni, ward
no. 5, PS- Pakaridayal, Distt.- East Champaran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mrs. Y. Madhavi, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP
For the Informant	:	Mrs. Priyam Kumari, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 08-07-2025 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State, learned counsel for the
informant/Respondent No. 2 and perused the case diary.

2. The instant appeal has been filed by the appellant
against the order dated 06.12.2024 passed by learned Special
Judge SC-ST Act, East Champaran, Motihari whereby the
prayer for bail of the appellant in connection with Pakaridayal
P.S. Case No. 280 of 2023 under Sections 302, 307, 336, 201,
120(B), 34 of the Indian Penal Code, read with Sections 17,
25(g), 27 of Arms Act and Section 3(2)(va) of SC/ST Act was
rejected.

3. Prosecution case, in short, is that, son of the



informant had gone to attend the marriage ceremony of the daughter of one Akhilesh Paswan where her son, namely, Govind Kumar was killed on account of firing and two other persons got injured. The accusation against the appellant is of being concealing the dead body of the deceased wrapped with blanket in a field.

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 the appellant was not present at the place of occurrence as he was busy in the arrangements for the marriage ceremony. It is next submitted that there is no direct allegation levelled against the appellant. The allegation levelled against the appellant is general and omnibus in nature. Main allegation of firing is against co-accused, namely, Bhoolar Shah and Prabhakar Paswan. 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 10.11.2024 and has got no criminal antecedent.



Similar co-accused have been granted bail by this Court vide order dated 20.06.2024 passed in Cr. Appeal (S.J.) No. 1169 of 2024.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the appellant, this Court is inclined to allow this appeal. Accordingly, the appeal is allowed and order dated 06.12.2024 passed by learned Special Judge SC-ST Act, East Champaran, Motihari is hereby set aside.

7. Let the appellant be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Pakaridayal P.S. Case No. 280 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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