

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.614 of 2025

Arising Out of PS. Case No.-321 Year-2024 Thana- BALIYA District- Begusarai

Prince Kumar @ Prabhakar @ Prince Kumar Prabhakar @ Prabhakar Kumar
S/O Ram Vilas Singh R/O Village- Tarbanna, P.S- Sahebpur Kamal, Distt.-
Begusarai.

... .. Appellant/s

Versus

- 1. The State of Bihar
- 2. Naresh Paswan S/O Late Sonelal Paswan R/O Village- Singhaul Ward No. 01, P.S- Singhaul, Distt.- Begusarai.

... .. Respondent/s

with
CRIMINAL APPEAL (SJ) No. 639 of 2025

Arising Out of PS. Case No.-321 Year-2024 Thana- BALIYA District- Begusarai

Satrudhan Kumar @ Kallu @ Satruhan S/o Rajendra Chaudhary R/o village -
Sahebpur Kamal , P. S - Sahebpur Kamal , District - Begusarai

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :
(In CRIMINAL APPEAL (SJ) No. 614 of 2025)
For the Appellant/s : None
For the State : Mr. Binay Krishna, Spl.P.P.
For the Informant : Mr. Vinod Gautam, Advocate
(In CRIMINAL APPEAL (SJ) No. 639 of 2025)
For the Appellant/s : None
For the State : Mr. Binay Krishna, Spl.P.P.
For the Informant : Mr. Vinod Gautam, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 05-06-2025 No one appears on behalf of the appellant in both the cases. However, learned counsel for respondent No. 2 /informant has appeared through Vakalatnama after receiving notice. Learned Special Public Prosecutor for the State is also present.



2. It transpires from the appeal in both aforementioned cases that the appellant seeks regular bail in connection with Begusarai vide Balia P.S. Case No. 321 of 2024, lodged on 03.10.2024, under Section 103(1) of the BNS, 2023 and under Sections 3(1)(r)(s)/3(2)(v) of SC/ST (PoA) Act.

3. It further transpires that the appellants have challenged the order dated 20.01.2025 passed by Exclusive Special Judge, SC/ST (PoA) Act, Begusarai vide Balia passed in Begusarai vide Balia P.S. Case No. 321 of 2024.

4. As per the prosecution, the informant has stated that his son was called by the appellant in Cr. Appeal (SJ) No. 614 of 2025, namely, Prince Kumar @ Prabhakar @ Prince Kumar Prabhakar @ Prabhakar Kumar on 01.10.2024 at around 07:00 PM, and on the very next day, i.e., 02.10.2024, the dead body of the informant's son was recovered by the police.

5. It has been pleaded in the bail application that both the appellants are innocent and have committed no offence. It is stated that there is no allegation that the appellant in Cr. Appeal (SJ) No. 614 of 2025 forcibly took the informant's son, there is no eyewitness to the alleged occurrence, and the FIR was lodged only on the basis of suspicion, prior to the recovery of the dead body by the police. The recovery of the dead body was



made on 02.10.2024, in a different village, but the FIR was lodged on 03.10.2024, by which it transpires that names of both the appellants' have been unnecessarily dragged into this case. It is further submitted that appellant in Cr. Appeal (SJ) No. 614 of 2025 was arrested in his own village, which indicates that he had no knowledge about the death of the deceased, while appellant in Cr. Appeal (SJ) No. 639 of 2025, namely, Satrudhan Kumar @ Kallu @ Satruhan is not named in the FIR, and no specific role has been attributed to him. It has also been submitted that the Investigating Officer has not recorded the statement of any local residents, and there is no direct allegation against the appellants regarding the killing of the informant's son. It is further pleaded that the appellants have been in custody since 05.10.2024 and have clean criminal antecedents.

6. Learned counsel for the respondent No. 2/informant in Cr. Appeal (SJ) No. 614 of 2025, on the other hand, vehemently opposes the prayer for bail and submits that the father of the deceased has clearly stated in the FIR that, on the evening of 01.10.2025, his son went with the appellant in Cr. Appeal (SJ) No. 614 of 2025 after being called by him, and on the very next day, his dead body was recovered. Therefore, a strong suspicion arises against the appellant in Cr. Appeal (SJ)



No. 614 of 2025. Counsel further submits that during the course of investigation, the appellant in Cr. Appeal (SJ) No. 614 of 2025 was arrested, and the name of the appellant in Cr. Appeal (SJ) No. 639 of 2025 figured in the case on the basis of the confessional statement of the appellant in Cr. Appeal (SJ) No. 614 of 2025. It is also submitted that cogent material has come on record against both appellants.

7. Counsel for the respondent No. 2/informant further submits that another co-accused, namely Anand Kumar @ Anant Kumar, had moved for grant of bail before this Hon'ble Court in Cr. Appeal (SJ) No. 895 of 2025, in which, vide order dated 15.05.2025, this Hon'ble Court was pleased to reject the bail application. Counsel further submits that, as recorded in the aforesaid order, the appellant in Cr. Appeal (SJ) No. 614 of 2025 had a phone conversation with the co-accused Anand Kumar, during which the co-accused agreed to kill the informant's son. It is submitted that the murder was committed as part of a plan orchestrated by the appellant in Cr. Appeal (SJ) No. 614 of 2025.

8. Learned Special Public Prosecutor opposes the prayer for bail and submits that, as per the case diary, the involvement of the appellant in Cr. Appeal (SJ) No. 639 of 2025



has also come to light. It is stated that initially, all the accused persons strangled the son of the informant, and thereafter, the appellant in Cr. Appeal (SJ) No. 639 of 2025 arrived at the scene and informed the others that the victim was still alive. Thereafter, using sharp cutting weapons, they slit the neck of the deceased one by one. Subsequently, the appellant in Cr. Appeal (SJ) No. 639 of 2025 returned to the house of the appellant in Cr. Appeal (SJ) No. 614 of 2025 along with him. As such, there is a direct allegation against both appellants.

9. In view of the present facts and circumstances, and considering the submissions made above, this Court is not inclined to grant bail to the appellants. Accordingly, the bail application of the appellants is hereby rejected.

(Dr. Anshuman, J.)

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