

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.924 of 2025

Arising Out of PS. Case No.-216 Year-2024 Thana- JAYNAGAR District- Madhubani

Md. Mehabub Son of Md. Gulab Resident of Village - Ward No. 04,
Santunagar Near Mazar, P.O. - Madhubani, P.S. - Madhubani, District -
Madhubani

... .. Appellant/s

Versus

1. The State of Bihar
2. Lalita Devi Wife of Late Ram Lakhan Safi Resident of Village - Khajauli,
P.S. - Khajauli, District - Madhubani

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Bhavesh Kumar Sah, Advocate
For the Respondent/s	:	Mr. Binay Krishna, APP
For the Informant	:	Mr. Sanjay Kumar Jha, Advocate

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

ORAL ORDER

7 04-09-2025 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel for
the informant.

2. The instant appeal has been filed by the appellant
against the order dated 05.09.2024 passed by learned Additional
Sessions Judge-1st cum Special Judge, Madhubani whereby the
prayer for bail of the appellant in connection with Jaynagar P.S.
Case No. 216 of 2024 under Sections 103(1), 3(5) of the
Bharatiya Nyaya Sanhita, 2023, Sections 25(1-b)a, 26 of the
Arms Act and Sections 3(1)(r), 3(2)(v) of SC/ST Act was
rejected.



3. Accusation against the accused persons including the appellant is of committing the murder of informant's husband by shooting him.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. Appellant is not named in the F.I.R. The name of the appellant has transpired in this case during investigation on the basis of confessional statement of the co-accused Nilam Devi. Learned counsel further submitted that petitioner has no concern with the family of the deceased. 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 28.07.2024 and has no criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant, stating that there is direct allegation against the appellant that he fired upon the deceased and has also confessed his guilt before the police. The prayer for grant of bail to the co-accused has already been rejected by this Court vide order dated



04.04.2025 passed in Cr. Appeal (SJ) No. 777 of 2025.

6. Considering the aforesaid facts and circumstances of the case as also there being direct allegation of shooting the deceased against the appellant this Court is not inclined to grant bail to the appellant.

7. Accordingly, the present appeal is dismissed.

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the appellant to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of nine months from today.

(Rudra Prakash Mishra, J)

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