

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1098 of 2025**

Arising Out of PS. Case No.-99 Year-2022 Thana- DHOLBAJJA District- Bhagalpur

Khagesh Mandal @ Rakesh Kumar Mandal S/o- Late Satya Narayan Mandal
Resident of Village- Shrimatta PS- Tikapatti, Dist- Purnea

... .. Appellant/s

Versus

1. The State of Bihar
2. Sanchu Das S/o- Asharfi Das Village- Garaiya Tola Dholbajja Ps- Dholbajja
Dist- Bhagalpur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ashok Kumar No.6, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl.PP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 11-07-2025 Heard Mr. Ashok Kumar No.6, learned counsel for the

appellant as well as Mr. Sadanand Paswan, learned Spl.P.P. for

the State.

2. This is an appeal under Sections 14(A)(2) against
refusal of the prayer for regular bail by order dated 07.12.2024
passed by the learned Court of Additional Sessions Judge-III-
cum-Special Judge (SC & ST Act), Bhagalpur in connection
with S.T. No. 952 of 2023 arising out of Dholbajja P.S. Case No.
99 of 2022, F.I.R. dated 18.10.2022 registered under Sections
302, 120B/34 of the Indian Penal Code and Sections 3(2) (V) of
the Scheduled Castes and Scheduled Tribes (POA) Act.

3. According to the prosecution case, the informant



alleged that the appellant along with other accused persons have killed his son.

4. Learned counsel for the appellant submits that appellant is innocent and he has falsely been implicated in the present case merely on the basis of suspicion. He further submits that trial is not in progress and except the suspicion no other cogent material is available against the appellant which suggest the involvement of the appellant in the present occurrence. The appellant is in custody since 24.10.2022.

5. Learned Special Public Prosecutor for the State have vehemently opposed the prayer for bail of the appellant and submits that the statement of the co-accused has been recorded under Section 313 of Cr.P.C and the trial is on verge of conclusion and apart from that the appellant carries two criminal antecedents other than the present one but fairly submits that the appellant is on bail in the pending matters.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the appellant on bail in connection with Dholbajja P.S. Case No. 99 of 2022 pending in the court of learned Additional Sessions Judge-III-cum-Special Judge (SC & ST Act), Bhagalpur.

7. Accordingly, the impugned order is affirmed and



this appeal stands dismissed.

8. However the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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