

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1864 of 2024

Arising Out of PS. Case No.-475 Year-2023 Thana- ROSERA District- Samastipur

VINIT KUMAR RAY @ VINEET KUMAR @ VINEET KUMAR RAY @
VICKKI @ VICKY SON OF LATE SAROJ RAY @ SAROJ RAY
RESIDENT OF VILLAGE -DASHAUT (DASAUT), P.S. - HATHAURI,
(SHIVAJI NAGAR O.P.), DISTRICT - SAMASTIPUR

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. GEETA DEVI WIFE OF SANTOSH PASWAN RESIDENT OF VILLAGE
- KANKAR, POST - RAHIYAR KONCHI, PANCHAYAT, RAHIYAR,
SOUTH, P.S. - HATHAURI (SHIWAJI NAGAR O.P.), DISTRICT -
SAMASTIPUR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sandip Kumar Gautam
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-09-2025 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 04.02.2024 passed in a case registered for the offence punishable under sections 302, 120 (B) and 34 and other allied sections of the Indian Penal Code and sections 3(i)(r)(s) /3(2) (va) of the Scheduled Castes and Scheduled Tribes Act, and whereby the prayer for anticipatory bail of the appellant has been rejected.

3 . As per the prosecution case , informant namely , Geeta devi alleged that there was love affair between daughter of one Ganga Vishun Yadav and one Ram Kumar Paswan and



out of love , on 08.06.2023 , both of them eloped, for which Hathauri PS Case No. 118 of 2023 was lodged and thereafter, on 10.07.2023 , due to aforesaid incident, a scuffle took place between both the parties in which all the accused persons planned to kill the husband of informant. Later on 17.07.2023 , victim was recovered and Ram Kumar Paswan was taken into judicial custody . It is further alleged that on 11.08.2023 at about 10:00 AM, when husband of informant Santosh Paswan and one Rajiv Paswan went to Rosera Court to know the status of the case of Ram Kumar Paswan and after inquiry of the case ,when they were returning and reached near Mahisar Char, in the meantime , all the accused persons surrounded the husband of informant and fired upon him due to which he died.

4. It is submitted on behalf of the appellants that this appellant has falsely been implicated in this case . Informant is not an eye witness to the alleged occurrence . Allegation is general and omnibus against this appellant. No specific overt act is alleged against him. Appellant has got no concern with the alleged occurrence and on the alleged time of occurrence he was not present at the spot.

5. However, learned Spl. PP for the State opposed the prayer for bail and submitted that there is specific allegation



against this appellant is that he along with other co-accused persons committed murder of husband of informant and he has got 5 criminal antecedents.

6. Considering the aforesaid facts, nature of accusation and criminal antecedents of appellant and other circumstances of the case , I do not find any reason to interfere with the impugned order, accordingly this appeal is dismissed.

(Prabhat Kumar Singh, J)

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