

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1438 of 2025

Arising Out of PS. Case No.-124 Year-2024 Thana- MANSAHI District- Katihar

Govind Singh S/o Late Baijnath Singh R/o Pinda, P.S.- Mansahi, Distt.- Katihar

... .. Appellant/s

Versus

- 1. The State of Bihar
- 2. Mahendra Kumar Uraon S/o Late Chaudhary Uraon R/o Pinda, P.S.- Mansahi, Distt.- Katihar

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 1591 of 2025

Arising Out of PS. Case No.-124 Year-2024 Thana- MANSAHI District- Katihar

Gautam Singh Son of Late Baijnath Singh R/O- Pinda, P.S.- Mansahi, Distt.- Katihar

... .. Appellant/s

Versus

- 1. The State of Bihar
- 2. Mahendra Kumar Uraon Son of Late Chaudhary Uraon R/O- Pinda, P.S.- Mansahi, Distt.- Katihar

... .. Respondent/s

Appearance :
(In CRIMINAL APPEAL (SJ) No. 1438 of 2025)
For the Appellant/s : Mr. Sanjeev Kumar Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP
(In CRIMINAL APPEAL (SJ) No. 1591 of 2025)
For the Appellant/s : Mr. Sanjeev Kumar Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA

ORAL ORDER

4 10-07-2025 Heard learned counsel for the appellants, learned Special

Public Prosecutor for the State and learned counsel for the

informant.



2. The instant appeal has been filed by the appellants against the order dated 24-02-2025 passed by learned Court of District and Additional Sessions Judge-I-cum-Special Judge SC/ST-cum-Children Court, Katihar whereby the prayer for bail of the appellant in connection with Mansahi PS Case No. 124 of 2024 under Sections 126(2), 115(2), 324(4), 109, 118(1), 118(2), 103, 191(2), 191(3), 352, 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023, Section 27 of the Arms Act and Sections 3(1)(r) (s) & 3(2)(va) of SC/ST Act was rejected.

3. Prosecution case, in short, is that the informant was attacked while ploughing bataidari land when Govind Singh abused and shot Baijnath Uraon, causing his death, while Gautam Singh fired with both hands, injuring Jabna Uraon. They also called 20–25 armed criminals who fired 60–70 rounds, forcing the informant and others to flee. Govind and Gautam further set fire to tractors after the attack.

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. It is submitted that FIR is lodged due to land dispute and prior to the present case several case and counter case is pending between the parties. It is submitted that other accused persons used fire



arms upon the appellants and others for which Mansahi PS Case No. 125 of 2024 is lodged. It is submitted that learned court below has not considered that in the counter case lodged by one Jhunu Rani Singh alleging that there is one Rajesh Uraon who shot fire, which hit to one Baijnath Uraon due to which he died. Learned counsel for the appellants further submits that the appellants have 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 them. The appellants have no intention to disgrace the image of the informant in public view. The appellant, namely, Govind Singh is in custody since 10-12-2024, whereas appellant, namely, Gautam Singh, is in custody since 02-12-2024 and have three criminal antecedents each.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellants. It is fervently submitted that there is old rivalry between the parties due to admitted land dispute and appellant, namely, Gautam Singh confessed that he and his brother, namely, Govind and niece Chandan fired gun shot due to which one person has died and several persons are injured. Postmortem report corroborates the allegation levelled in the FIR.

6. Considering the aforesaid facts and circumstances



of the case, there being direct allegation against the appellants of firing, resulting in death of one person coupled with nature and gravity of the offence, this Court is not inclined to grant bail to the appellants. Prayer for bail is accordingly *rejected*.

7. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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