

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1663 of 2025**

Arising Out of PS. Case No.-5 Year-2025 Thana- NOWKOTHI GARHPURA District-
Begusarai

Binod Kumar Singh @ Bablu Singh @ Vinod Singh S/o Late Ramchandra
Singh R/o Vill.- Panhas, P.S.- Lohiyanagar (Town), Distt.- Begusarai

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Umesh Singh S/o Late Ramsagar Singh R/o Vill.- Bikrampur, P.S.- Cheriya
Bariyarpur, Distt.- Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Pushpendra Kumar Singh
For the Respondent/s	:	Mr. Shubhesh Pandey, Adv. Mr. Amit Kumar Mishra, Adv.
For the State		Ms.Usha Kumari 1, Spl.PP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

6 18-09-2025 Heard learned counsel for the appellant, learned
counsel for the informant and learned Spl. P.P. for the State.

2. This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)
Act, 1989 against the rejection of prayer of bail of the appellant
vide order dated 02.04.2025 passed by the learned Exclusive
Special Judge SC/S (PoA) Act, Begusarai of Nawkothe P.S. Case
No. 05 of 2025 dated 08.01.2025 registered for the alleged
offences punishable under Sections 103, 61(2), 190 and 191(3) of
the B.N.S., 27 of the Arms Act and Sections 3(1)(r)(s)/
3(2)(va)/ 3(2)(v) of the Scheduled Castes and Scheduled Tribes



(PoA) Act.

3. As per the prosecution case, the informant is the proprietor of A-one Brick Kiln located at Pahsara and on 07.01.2025, 7-8 unknown miscreants armed with weapons came to his brick kiln and brutally assaulted the workers who were working in the brick kiln and when Laxman Uraon came to rescue then they shot on him due to which he died and his dead body was thrown in the north direction of brick kiln. Next day, the informant received a call that the dead body was thrown towards north of the brick kiln then the informant called local police station then the police official reached there and one of the co-accused persons namely, Manjesh Kumar was identified in CCTV footage. The injured was taken to the hospital for treatment. The informant suspected that the appellant, the appellant's son Vikash Kumar, Raushan Kumar and his associates were involved in the said occurrence. He also suspected that Golki Singh and his son Chikku who are the members of Manjesh Kumar gang were also involved in the alleged occurrence.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case due to land dispute. The appellant has been made accused in this case merely on suspicion. There is no eye witness to the alleged occurrence. According to the F.I.R., police identified the co-



accused, Manjesh Kumar in the CCTV Footage and the appellant has no concern with the said co-accused, Manjesh Kumar. No incriminating article has been recovered from the conscious possession of the appellant. Learned counsel has further submitted that no particular caste name has been called by the appellant hence no case is made out under SC/ST Act. It is further submitted that the appellant has no concern with the alleged offence. The appellant is in custody since 16.03.2025. The appellant has ten criminal antecedents as stated in para 3 of the bail petition.

5. Learned Special Public Prosecutor for the State as well as learned counsel for the respondent no. 2 have opposed the prayer for bail of the appellant. In para 160 of the case diary, the confessional statement of the appellant has been mentioned in which he has stated that the appellant called the co-accused, Manjesh Kumar to kill Laxman Uraon then Manjesh Kumar fired on him which hit the shoulder of Laxman Uraon but he did not die and thereafter, the appellant fired on Laxman Uraon which hit his chest and he succumbed to the injury. The tower location of the mobile number of the appellant was found at the place of occurrence which has been mentioned in para 161 of the case diary. In the confessional statement of the co-accused, Manjesh Kumar in para 184 of the case diary, he has stated that he fired on



Laxman Uraon which hit his shoulder but he did not die and thereafter, the appellant fired on Laxman Uraon which hit his chest and he succumbed to the injury. As per the post-mortem report of the deceased, the death was caused due to haemorrhagic shock as a result of above mentioned injuries caused by firearms.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of the allegation against the appellant, I am not inclined to set aside the impugned order dated 02.04.2025 passed by the learned Exclusive Special Judge SC/S (PoA) Act, Begusarai in connection with Nawkothi P.S. Case No. 05 of 2025 and accordingly, the prayer for bail of the appellant is rejected.

7. Learned trial court is directed to expedite the trial and conclude the same at the earliest.

(Chandra Prakash Singh, J)

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