

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1993 of 2025

Arising Out of PS. Case No.-90 Year-2024 Thana- ARWAL District- Jehanabad

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Sonu Kumar Son of Umesh Prasad Village -Pipra Bangla, PS and Distt
-Arwal

... .. Appellant/s

Versus

- 1. The State of Bihar bihar
- 2. Butani Devi wife of Birju Paswan Village -Pipra Bangla, PS and Distt
-Arwal

... .. Respondent/s

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Appearance :	
For the Appellant/s	: Mr. Krishna Singh, Sr. Adv. Mr.Paras Nath, Adv. Mr. Mukesh Kumar, Adv.
For the Respondent/s	: Ms. Moni Kumari, Adv.
For the State	: Mr.Binay Krishna, Spl.PP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 21-08-2025 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 07.04.2025 passed by the learned 1st Addl. Sessions Judge-cum- Spl. Judge, SC/ST Act, Jehanabad in Arwal P.S. Case No. 90 of 2024 dated 01.03.2024 registered for the alleged offences punishable under Sections 341, 323,



307, 504 read with Section 34 of the Indian Penal Code and later on Section 302 of the Indian Penal Code was added and Sections 3(1)(r)(s)/ 3(2)(va) of the Scheduled Castes and Scheduled Tribes Act were added.

3. As per the prosecution case, on 22.02.2024 at about 6.00 P.M., the informant's son namely Ranjeet Kumar went out from the house after taking breakfast and about 8.00 P.M. she got information from Arwal Police Station that her son was lying on road near Sahar Pool. It is further alleged that with the help of local police, the informant's son was taken to the hospital for treatment.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. The appellant has been made accused in this case merely on suspicion. The appellant is not named in the F.I.R. The name of the appellant has surfaced in this case during the course of investigation. There is no eye witness to the alleged occurrence. It is further submitted that there is no allegation of abusing against the appellant and hence, no offence under provisions of SC/ST Act is made out against the appellant. It is further submitted that the appellant has no concern with the alleged offence. The appellant has three criminal antecedents in which



he is on bail as stated in para 3 of the bail petition. The appellant is in custody since 01.02.2025.

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 and submitted that during the course of investigation of this case, the appellant was last seen with the deceased which is evident from the re-statement of the informant in paragraph no. 5 and the other witnesses in paragraph nos. 6, 17 and 30 of the case diary. It is further submitted that it is case of last seen theory. Learned counsel has further submitted that as per the para 38 of the case diary, from the CDR analysis, it is evident that the appellant and the deceased were present together in the Bhojpur area at the time of the incident and their mobiles were present in the same Bhojpur tower location.

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 dated 07.04.2025 passed by the learned 1st Addl. Sessions Judge-cum- Spl. Judge, SC/ST Act, Jehanabad in Arwal P.S. Case No. 90 of 2024 and accordingly, the prayer for bail of the appellant is rejected.



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

(Chandra Prakash Singh, J)

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