

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2125 of 2025

Arising Out of PS. Case No.-142 Year-2024 Thana- JAHANABAD District- Jehanabad

Sanoj Yadav @ Sanoj Kumar S/o Raj Nandan Yadav R/o Vill.- Mahuabigha,
PS- Sikariya, (In The FIR written as Vill.- Kumarbigha, Mahua Tola) PS-
Sikariya, Distt.- Jehanabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Kavita Devi W/o Binod Manjhi R/o Vill.- Daudpur, PS- Jehanabad (Kalpa
out post)) Distt.- Jehanabad

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shivendra Prasad, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, SPP
For the Informant	:	Mr. Sanjay Kumar Mishra, Advocate
		Mr. Ashok Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 16-10-2025 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State, learned counsel for the
informant/Respondent No. 2 and perused the case diary.

2. Earlier, anticipatory bail of the appellant has been
rejected by a Co-ordinate Bench of this Court vide order dated
18.09.2024 passed in Cr. Misc. No. 48933 of 2024.

3. The instant appeal has been filed by the appellant
against the order dated 06.05.2025 passed by learned Additional
Sessions Judge 1st, Jehanabad whereby the prayer for bail of the
appellant in connection with Jehanabad (Kalpa) P.S. Case No.
142 of 2024 under Sections 363, 365 and 34 of the Indian Penal
Code, was rejected.

4. Prosecution case, in short, is that the appellant



along with other co-accused persons have taken the informant's husband with them but, subsequently, he did not return to his house.

5. 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 under Sections 364, 302, 201, 120(B) of the Indian Penal Code, read with Sections 3(2)(v) of SC/ST Act. Learned counsel for the appellant also submits that no specific allegation has been attributed against the appellant rather the same is general and omnibus in nature. There is no any eye witness to the alleged occurrence. It is further submitted that co-accused Chandan has allegedly stated that he along with others including the appellant are involved in committing murder of informant's husband and the same has got no evidentiary value. Learned counsel for the appellant further submits that the appellant has 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 him. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 13.11.2024 and has got no criminal antecedent.

6. Learned Special P.P. for the State and the informant



have vehemently opposed the prayer for grant of bail to the appellant and submits that the FIR has been lodged on the basis of suspicion only due to the reason that the informant's husband has left the house with two accused persons including the appellant and subsequently, the dead body of informant's husband was found. It is further submitted that on perusal of the case diary it transpires that the appellant along with other co-accused persons have committed murder of informant's husband and the same has been confessed by co-accused Chandan. Hence, the appellant does not deserve the privilege of bail.

7. Considering the aforesaid facts and circumstances of the case, specific allegation as also nature and gravity of the offence, this Court is not inclined to grant bail to the appellant at this juncture.

8. Accordingly, the appeal stands dismissed. The trial Court is directed to expedite the trial expeditiously. However, if the trial is not concluded within a period of five months from the date of receipt/production, the appellant will have liberty to renew his prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

Rajorshi/-

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