

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2176 of 2025

Arising Out of PS. Case No.-141 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Mannu Kumar Jha @ Mannu Jha S/o Sri Jaydev Jha R/o Village-Katihar, P.S.-
Kursela, District- Katihar

... .. Appellant/s

Versus

- 1. The State of Bihar
- 2. Dinesh Paswan S/o Late Gore Lal Paswan R/o Village- Driver Tola, P.S-
Nagar (Town) District- Katihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. N. K. Agrawal, Sr. Advocate
		Mr. Sunil Kumar Pathak, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP
For the Informant	:	Mr. Ansul, Sr. Advocate

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

ORAL ORDER

4 25-09-2025 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. The instant appeal has been filed by the appellant
against the order dated 23.04.2025 passed by learned District
and Additional Sessions Judge-I-cum-Special Judge, SC/ST Act,
Katihar whereby the prayer for bail of the appellant in
connection with Katihar Nagar P.S. Case No. 141 of 2024 under
Sections 302, 120(B)/34 of the Indian Penal Code and Section
27 of the Arms Act in which Charge-sheet has been submitted



under Sections 302, 120(B)/34 of the Indian Penal Code, Sections 3(2)(v) of SC/ST Act, Sections 25(1-B)(a), 26, 27 and 35 of the Arms Act was rejected.

3. Prosecution case, in short, is that informant's son was shot dead and one accused was caught. It is further alleged that a conspiracy for murder was hatched by the appellant along with other co-accused persons through hired killers.

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. Learned counsel for the appellant also submits that the appellant is not named in the FIR. Name of the appellant has transpired on the basis of confessional statement of co-accused persons and the same has got no evidentiary value. It is next submitted that there is no specific allegation of firing levelled against the appellant. 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 21.02.2025 and has got one criminal antecedent in which he is on bail.



5. 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 there is allegation upon the appellant that he participated in the murder of the deceased along with other co-accused persons. From perusal of confessional statement of co-accused persons, it appears that the appellant along with other co-accused persons conspired amongst themselves to get the deceased. All the witnesses have supported the case of prosecution. Hence, the appellant does not deserve the privilege of bail.

6. 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.

7. Accordingly, the appeal stands dismissed. The trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

Rajorshi/-

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