

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2319 of 2025

Arising Out of PS. Case No.-305 Year-2023 Thana- KHAJEKALA District- Patna

Sonu Kumar Shrma @ Dhilllo @ Dhilllo Sharma S/o Ashok Sharma @ Ashok Kumar Sharma R/o vill - Bhadr Ghat Main Road, P.S.- Alamganj, Distt.- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Bikki Choudhary S/o Yogendra Choudhary R/o Mohalla - Bari Patan Devi, Hajma Gali, P.S. - Alamganj, Distt.- Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Pramod Kumar, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 16-12-2025 Heard learned counsel for the appellant and learned Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 18.06.2024 passed by learned Exclusive Special Court, SC/ST Act, Patna whereby the prayer for bail of the appellant in connection with Special Case No. 67 of 2024, arising out of Khajekalan PS Case No. 305 of 2023 instituted under Sections 302, 120B & 34 of the Indian Penal Code (for short 'IPC') and Sections 3(1)(r)(s), 3(2)(va) of SC/ST Act & Section 27 of the Arms Act was rejected.

3. Prosecution case, in short, is that the appellant and the co-accused person along with 3-4 unknown miscreants are



alleged to have committed murder of the informant's brother.

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. Appellant is not named in the FIR. The name of the appellant has transpired in this case during investigation. 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 24.04.2024 and has twenty-four (24) criminal antecedents. Similar co-accused has been granted bail by a Coordinate Bench of this Court vide order dated 09.10.2025 passed in Cr. Appeal (S.J.) No. 2970 of 2025.

5. Learned Special P.P. for the State has vehemently opposed the prayer for grant of bail to the appellant. As per paragraph No. 34 of the case diary, it appears that appellant himself confessed his guilt. Other witnesses in their statement also supported the prosecution version. As per postmortem report, cause of death is due to shock and hemorrhage and its complications which is caused by firearm.



6. Considering the aforesaid facts and circumstances of the case and specifically taking into account the fact that there is twenty-four (24) criminal antecedents of the appellant, this Court, at this stage, is not inclined to allow the appeal. Appeal is, accordingly, *dismissed*.

7. However, appellant will be at liberty to renew his prayer for bail in the Court below if the trial is not concluded within a period of six months.

(Rudra Prakash Mishra, J)

Raj Kishore/-

U		T	
---	--	---	--

