

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2256 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- PRATAPGANJ District- Supaul

Mukesh Yadav @ Mukesh Kumar Son of Upendra Yadav @ Umesh Prasad Yadav Resident of village - Godhiya Gobindpur, P.S.- Pratapganj, Dist.- Supaul

... .. Appellant/s

Versus

1. The State of Bihar
2. Anjani Devi Wife of Late Arvind Kumar Resident of village - Belahi, Ward No.- 03, P.S.- Pratapganj, Dist.- Supaul.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Dinesh Prasad Verma, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP
For the Informant	:	Md. Anwar, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 11-09-2025 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 15.05.2025 passed by Learned Additional Sessions Judge 1st-cum-Special Judge SC/ST Act, Supaul whereby the prayer for bail of the appellant in connection with Pratapganj P.S. Case No. 22 of 2025 under Sections 140(1), 103(1), 61(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with Section 27 of the Arms Act, Sections 3(1)(r)(s) and 3(2)(va) of SC/ST Act was rejected.



3. Prosecution case, in short, is that the appellant along with other co-accused persons took informant's husband in a Scorpio vehicle and later his dead body was discovered with gun shot injuries.

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 informant is not an eye witness of the said occurrence. The appellant was not present at the place of occurrence. 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 15.03.2025 and has got no criminal antecedent.

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 specific allegation against the appellant along with other co-accused persons of taking informant's husband with them in a vehicle prior to his murder. Post-mortem report of the deceased corroborates with the



allegations levelled in the FIR. It is further submitted that informant in her re-statement (paragraph no. 6 of the case diary) and other witnesses in their respective statements (paragraph nos. 12, 13, 77 and 78 of the case diary) have supported the factum of occurrence and involvement of appellants. 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. However, if the trial is not concluded within a period of six 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)

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