

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2539 of 2025**

Arising Out of PS. Case No.-50 Year-2025 Thana- KUTUMBA District- Aurangabad

Chiku Kumar Singh @ Chiku Kumar @ Chinku Kumar Singh S/o Navlesh
Singh Resident Of Village- Jamua, Ps- Kutumba, Dist- Aurangabad

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Bimla Kunwar W/o Late Ram Janam Paswan R/o vill - Jamua, P.S.-
Kutumba, Distt.- Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Vindhyachal Singh, Adv. Miss. Nikita Mittal, Adv. Mr. Vipin Kumar Singh, Adv.
For the Respondent/s	:	Ms. Pratibha Srivastava, Adv.
For the State	:	Ms. Usha Kumari 1, Spl.PP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 07-08-2025 Heard learned counsel for the appellant and learned
counsel for the informant as well as learned Special Public
Prosecutor 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 (hereinafter in short referred to as the
SC/ST Act) against the refusal of prayer of bail *vide* order dated
23.05.2025 passed by the learned A.D.J.-1st-cum-Special Judge
(SC/ST, NDPS & Children Act), Aurangabad in connection with
Kutumba P.S. Case No. 50 of 2025 dated 19.03.2025 registered



for the offence/s punishable u/ss 103, 61(2) read with Section 3(5) of the B.N.S. and Section 27 of the Arms Act and Sections 3(1)(r), 3(1)(s) and Section 3(2)(v) of SC/ST (POA) Act.

3. As per the prosecution case, on 19.03.2025 at about 9:00 AM, the informant and her son namely Ranjeet Paswan was going to MRM Hospital to perform his duty, in the meantime, the appellant and the co-accused persons along with two unknown miscreants came riding on motorcycle and started abusing by taking caste name. It is further alleged that when the son of the informant protested, the co-accused, Sintu Kumar caught hold of his hand, the appellant, Chikku Singh caught the handle of motorcycle and the co-accused Vinay Singh opened fire on the chest of the informant's son Ranjeet Paswan due to which he fell down on the ground and died on the spot.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. Nothing has been recovered from the conscious possession of the appellant. There is no allegation of abusing against the appellant and hence, no offence under the provisions of SC/ST Act is made out against the appellant. It is further submitted that there is no specific allegation against the appellant rather the specific allegation of firing is against the co-



accused, Vinay Singh. As per post-mortem report of the deceased, the cause of death is due to haemorrhage, coma and shock due to bullet injury. The appellant has no concern with the alleged offence. The co-accused person has already been granted regular bail by this court vide order dated 03.07.2025 passed in Cr. Appeal (SJ) No. 2350/2025. The appellant has no criminal antecedent as stated at para 3 of the bail petition. The appellant is in custody since 20.03.2025.

5. Learned Spl.P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer of bail.

6. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of the learned counsel for the appellant, the impugned order dated 23.05.2025 passed by the learned A.D.J.-1st-cum-Special Judge (SC/ST, NDPS & Children Act), Aurangabad in connection with Kutumba P.S. Case No. 50 of 2025, is set aside against the appellant. The criminal appeal is allowed.

7. Accordingly, the above named appellant, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-1st-cum-



Special Judge (SC/ST, NDPS & Children Act), Aurangabad in
connection with Kutumba P.S. Case No. 50 of 2025.

(Chandra Prakash Singh, J)

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