

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3113 of 2025

Arising Out of PS. Case No.-249 Year-2023 Thana- BACHHWARA District- Begusarai

Nikhil Kumar son of Ram Nath Ishwar Village- Bharoul PS- Bachhwara
Distt- Begusarai

... .. Appellant/s

Versus

1. The State of Bihar through the Special P.P. S.C. and S.T. (Prevention Of Atrocities)Act bihar
2. Pragas Paswan Son of Late Udgar paswan Village- Bharoul, Ps- Bachhwara, Dist- Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Sunil Kumar Sharma, Adv
		Mr. Shefali Sharma, Adv
For the Respondent/s	:	Mr.Binay Krishna, Spl APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 22-08-2025 Heard learned counsel for the appellant and learned
APP for the State.

2. The appellant is in custody in connection with Bachhwara P.S Case No. 249 of 2023 registered for the offences punishable under Sections 302, 102B and 34 of the Indian Penal Code and Section 27 of the Arms Act and Section 3(2)(v), SC/ST (PoA) Act.

3. As per prosecution case, the appellant and other co-accused persons have committed murder of the informant's son namely, Ajay Paswan.

4. Learned counsel for the appellant submits that



appellant has falsely been implicated in this case. He next submits that this is third bail application of the appellant. Earlier first bail application was rejected vide order dated 12.07.2024 in Cr. Misc. No. 2149 of 2024 on merit and the second bail application has been rejected vide order dated 20.06.2025 in Cr. Misc. No. 4213 of 2024 without merit. Learned counsel for the appellant submits that there were total nine accused in this case out of which eight accused persons has already been granted bail by the co-ordinate Bench of this Court vide Criminal Appeal (SJ) Nos. 5682 of 2023, 1211 of 2024, 5364 of 2024, 3518 of 2024, 1210 of 2024, 3707 of 2024, 2075 of 2025 and 2270 of 2024 . It is also submitted that appellant is in judicial custody since 19.08.2023 having three antecedent.

5. However, learned Special P.P for the State oppose the prayer for regular bail of the appellant.

6. On perusal of the FIR and impugned order dated 09.07.2025, it appears that out of nine named accused persons eight of them have already granted bail by the Co-ordinate Bench of this Court vide Criminal Appeal (SJ) Nos. 5682 of 2023, 1211 of 2024, 5364 of 2024, 3518 of 2024, 1210 of 2024, 3707 of 2024, 2075 of 2025 and 2270 of 2024 and all the order sheet have been annexed as Annexure-P/5 series and from



Annexure P/6 series which is the photocopy of the deposition of the seven witnesses in which it appears that all the seven witness including informant have become hostile. So considering the materials available of record, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Exclusive Special Judge SC/ST (PoA) Act. Begusarai in connection with Bachhwara P.S Case No. 249 of 2023.

(Ramesh Chand Malviya, J)

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