

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3255 of 2025

Arising Out of PS. Case No.-268 Year-2025 Thana- JANDAHA District- Vaishali

Chandan Kumar Singh Son of Krishan Mohan Singh village- khopi, Ps-
Jandaha, Dist- Vaishali

... .. Appellant/s

Versus

1. The State of Bihar
2. Santosh Paswan son of Late Mahendra Paswan Resident of Village- Khopi
Yogi Chowk, Ps- Jandaha, Dist- Vaishali

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ashok Kumar Sinha

For the Respondent/s : Mr.Usha Kumari 1

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

ORAL ORDER

3 16-10-2025 Heard learned counsel for the appellant and learned

Special Public Prosecutor for the State. Learned Spl.P.P. has

already informed the respondent no.2 regarding this case.

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
16.07.2025 passed by the learned Special Judge, SC/ST Act,
Vaishali at Hajipur in connection with Jandaha P.S. Case No.
268/2025 dated 22.06.2025 registered for the offence/s
punishable u/s 103 read with Section 3(5) of B.N.S. and Section
3(2)(v) of the SC/ST Act.



3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have committed murder of the informant's son under conspiracy due to earlier dispute.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. The name of the appellant has sprung up in this case on mere suspicion. Learned counsel has further submitted that no particular caste name has been called by the appellant hence no case is made out under section SC/ST Act. The petitioner has no concern with the alleged offence. The appellant has one criminal antecedent as stated at para 3 of the bail petition. The appellant is in custody since 24.06.2025.

5. Learned Spl.P.P. for the State has vehemently opposed the prayer of bail of the petitioner by submitting that the witness (mother) in her statement in para-54 has stated that she along with her son came to the house of the petitioner for work and after the completion of work she returned to her house alone leaving her son at the house of the petitioner. Her son did not return to her home when the informant went to the house of the petitioner (Chandan Kumar Singh) to search for her son but the petitioner stopped her and the petitioner told in anger that her son was not in his house. It is further submitted that the son



of the informant was killed by the petitioner and threw his dead body by the roadside. As per the post-mortem report of the deceased, it is mentioned that the caused of the death is due to strangulation.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the appellant, I am not inclined to set aside the impugned order dated 16.07.2025 passed by the learned Special Judge, SC/ST Act, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 268/2025 and accordingly, the prayer for bail of the appellant is rejected.

(Chandra Prakash Singh, J)

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