

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4949 of 2024

Arising Out of PS. Case No.-401 Year-2024 Thana- ARA NAWADA District- Bhojpur

Ranjeet Singh Son of Krishana Singh Resident of Village- Bhushahula, P.S.-
Ara Muffasil, District- Bhojpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Budhan Paswan Son of Sri Ramdev Paswan Resident of Village- Bhusawala,
P.S.- Ara Nawada, Distt.- Bhojpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Thakur, Advocate
	:	Mr. Ajay Kumar Singh, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP
For the Informant	:	Mr. Manoj Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 03-03-2025 Heard learned counsel for the appellant, learned

Special Public Prosecutor for the State and learned counsel for

the informant. Perused the case diary.

2. The instant appeal has been filed by the appellant
against the order dated 02.09.2024 passed by learned court of 1st
Additional Sessions Judge cum Special Judge, SC/ST Act,
Bhojpur at Ara whereby the prayer for bail of the appellant in
connection with Arrah Nawada P.S. Case No. 401 of 2024 under
Sections 302, 120B of the Indian Penal Code, Section 27 of the
Arms Act and Sections 3(2)(va) of SC/ST Act was rejected.

3. The prosecution case, in short, is that, the appellant



and the co-accused took the informant's to a Yagya programme on 09.06.2024. The next day, his dead body was found near Dhanwali Gas Agency with gunshot injuries.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. Learned counsel further submitted that there is no eye-witness to the occurrence. The appellant and the informant are co-villagers and there is previous dispute between them and therefore, the appellant has been made accused in this case on account of suspicion. 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. Learned counsel further submitted that as per the case diary, all the witnesses are family members and relatives of the informant and no independent witness has supported the case of the prosecution. The appellant is in custody since 26.01.2024 and has 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, stating that as per paragraph no. 85 of the case diary,



the co-accused Guddu Kumar in his confessional statement has disclosed that he along with other accused persons including this appellant hatched the conspiracy and committed murder of the deceased. Learned SPP further submits that as per the post-mortem report, bullet injuries were found on the body of the deceased which aligns with the disclosure made by the co-accused in his confessional statement. Learned SPP for the State and learned counsel for the informant, therefore, jointly pray that the appellant may not be released on bail.

6. Considering the aforesaid facts and circumstances of the case, there being ample material available in the case diary against this appellant to prove his active participation in the commission of murder of the deceased, this Court, at this stage, is not inclined to release the appellant on bail.

7. Accordingly, the appeal stands dismissed.

(Rudra Prakash Mishra, J)

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