

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.4983 of 2024**

Arising Out of PS. Case No.-131 Year-2023 Thana- KARAI PARSURAI District- Nalanda

1. Ritesh Kumar Son of Satendra Prasad Village -Milki Hurari PS- Karai Parsurai District -Nalanda
2. Nitish Kumar son of Chandra Shekhar Prasad @ Shekhar Prasad Village -Milki Hurari PS- Karai Parsurai District -Nalanda

... .. Appellant/s

Versus

1. The State of Bihar
2. Munni Paswan Son of Late Ramashish Paswan Village - Bichli Hurari PS- Karai Parsurai District -Nalanda

... .. Respondent/s

**Appearance :**

For the Appellant/s : Ms. Puja .  
For the Respondent/s : Mr. Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      17-01-2025                      1. Heard learned counsel for the appellants, learned Special P.P. for the State and the learned counsel appearing on behalf of the respondent no. 2, Mr. Chandra Shekhar Anand.

2. This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for bail vide order dated 01.10.2024 passed by the learned Additional Sessions Judge-VI-cum-Special Judge S.C./S.T. (POA) Act, Nalanda at Biharsharif in connection with Karai Parsurai P.S. Case No. 131 of 2023 registered for the offences punishable under Sections 147, 148,



149, 341, 323, 504, 506, 354 and 307 of the Indian Penal Code as well as Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the SC/ST Act and Section 27 of the Arms Act.

3. The learned counsel appearing on behalf of the respondent no. 2 submits that from perusal of the allegation as alleged in the FIR, it would manifest that allegation is of firing causing injury on right leg of the nephew of the informant. It is further submitted that charges have been framed and trial has commenced and the informant along with one other witness have been examined. It is further submitted that appellants also have antecedent of one case under Section 394 of the IPC. It is next submitted that since trial has commenced, as such, if privilege of bail is granted to the appellants, they may abscond.

4. The learned counsel appearing on behalf of the appellants does not dispute the said submission of the learned counsel appearing on behalf of the respondent no. 2 that charges have been framed and trial has commenced and the informant along with one more witness have been examined, but then submits that appellants are in custody since 22.08.2024 and allegation of firing is not specific, but then does not dispute the submission of learned counsel appearing on behalf of the respondent no. 2 that the injured got injury by firearm.



5. Considering the submission made by the learned counsel appearing on behalf of the respondent no. 2, the Court is not inclined to release the appellants on bail.

6. Accordingly, the appeal is rejected.

(Satyavrat Verma, J)

Rishabh/-

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