

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4329 of 2025

Arising Out of PS. Case No.-320 Year-2025 Thana- BARUN District- Aurangabad

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Suman Kumar Son of Shadhu Yadav @ Birendra Yadav Resident of village - Janpur, P.S.- Barun, District - Aurangabad, Bihar.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Manoj Kumar Son of Ram Pravesh Paswan Resident of village - Janpur, P.S.- Barun, District - Aurangabad, Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Kumari Chandna, Adv.
For the informant	:	Mr. S. K. Thakur, Adv.
		Mr. Priyam Kumari, Adv.
		Mr. Aditya Kumar Pandey, Adv.
For the Respondent/s	:	Mr.Usha Kumari 1,Spl.PP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 13-11-2025 Heard learned counsel for the appellant, learned counsel for the informant and learned Spl. P.P. 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 against the rejection of prayer of bail of the appellant vide order dated 30.07.2025 passed by the learned District & Additional Sessions Judge-1st-cum- Special Judge (S.C/S.T., NDPS & Children Act), Aurangabad Bihar in R.B.A. No. 773 of 2025 in connection with Barun P.S. Case No. 320 of 2025 dated 26.06.2025 registered for the alleged offences punishable under Sections 191(2), 191(3), 190, 126(2), 115(2),



61(2), 352, 103(1) of the B.N.S. Sections 3(1)(r)/ 3(1)(s) of the Scheduled Castes and Scheduled Tribes Act.

3. As per the prosecution case, on 25.06.2025, when the informant's son went outside the house then the appellant and the co-accused persons allegedly caught him forcibly and dragged him towards their house and assaulted him. When the informant's son cried for help then the informant and his nephew followed him then the co-accused, Mahendra Yadav started abusing them by calling their caste name. Thereafter, the appellant started assaulting the informant's nephew and due to fear they stepped back. Further, the informant informed police on phone and when police reached the spot, they found that the informant's son was murdered with a sharp cutting weapon. The informant further alleged that the appellant and the co-accused have committed murder of his son. Thereafter, police took the body to the police station and then sent it for the post-mortem to Sadar Hospital, Aurangabad.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in this case. It is further submitted that no member of public was present at the relevant point of time of the incident and hence, no offence under provisions of SC/ST Act is made out against



the appellant. Learned counsel has further submitted that the appellant had no intention to kill the deceased. It is further submitted that the appellant has no concern with the alleged offence. The appellant has no criminal antecedents as stated in para 3 of the bail petition. The appellant is in custody since 27.06.2025.

5. Learned Special Public Prosecutor for the State as well as learned counsel for the respondent no. 2 have opposed the prayer for bail of the appellant and submitted that the appellant and the co-accused persons are involved in the commission of murder of the informant's son. From perusal of the impugned order, it appears that during investigation, the specific and direct allegation is against the petitioner for committing the murder of the deceased. The informant and the other witnesses in their statements have also supported the prosecution case. As per the post-mortem report of the deceased, the cause of death is haemorrhagic shock due to injury caused by sharp object.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of the allegation against the appellant, I am not inclined to set aside the impugned order dated 30.07.2025 passed by the learned District & Additional



Sessions Judge-1st-cum- Special Judge (S.C/S.T., NDPS & Children Act), Aurangabad, Bihar in R.B.A. No. 773 of 2025 in connection with Barun P.S. Case No. 320 of 2025 and accordingly, the prayer for bail of the appellant is rejected.

(Chandra Prakash Singh, J)

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