

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5333 of 2024

Arising Out of PS. Case No.-164 Year-2024 Thana- KHUSRUPUR District- Patna

Raj Kumar @ Raj Kumar Singh Son of Sri Pramod Singh Resident of
Daniyawan, Ward No. 3/4, P.S. - Daniyawan, District - Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Pintu Singh Son of Kapil Singh Resident of Village - Dudhni Tola Baikatpur,
P.S. - Khusrupur, District - Patna (Informant)

... .. Respondent/s

Appearance :

For the Appellant/s : Mrs. Vaishnavi Singh, Advocate

For the Respondent/s : Mr. Usha Kumari 1, APP

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

ORAL ORDER

4 21-03-2025 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State. None appears on behalf
of the Respondent No. 2 despite notice being validly served.
Perused the case diary.

2. The instant appeal has been filed by the appellant
against the order dated 30.08.2024 passed by learned Exclusive
Special Judge, SC/ST Act. Civil Court (Sadar), Patna whereby
the prayer for bail of the appellant in connection with Special
(SC/ST) Case No. 204 of 2024 arising out of Khusrupur P.S.
Case No. 164 of 2024 which was initially instituted under
Section 379 of the Indian Penal Code but charge-sheet was
submitted under Sections 364, 302, 201, 411, 379, 120B of the



Indian Penal Code and Sections 3(1)(r), 3(2)(v) of the SC/ST Act was rejected.

3. The prosecution case, in short, is that on 25.04.2024, a truck bearing Registration No. BR-01-GA5978 loaded with white steel sheet left for Rohit Agency, Bhagalpu from BMW M/S, thereafter, informant came to know that on 27.04.2024, the truck had not reached the destination and mobile number of the said truck driver was also switched off.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. appellant is not named in the F.I.R. The name of the appellant transpired in this case on the basis of CDR report. Charge-sheet has been submitted in this case. No incriminating article has been recovered from the conscious possession of the appellant. 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. The appellant is in custody since 07.05.2024 and has no criminal antecedent.

5. Learned Special P.P. for the State has vehemently opposed the prayer for grant of bail to the appellant, stating that



that appellant has himself confessed his guilt and disclosed his involvement in the commission of murder of the deceased. Learned SPP further submitted that the prayer for grant of bail of a co-accused person has also been dismissed by this Court vide order dated 28.01.2025 passed in Cr. Appeal (SJ) No. 4116 of 2024.

6. Considering the aforesaid facts and circumstances of the case as also nature and gravity of offence and there being ample material against the appellant to show his involvement in the commission of murder of the deceased, this Court is not inclined to grant bail to the appellant at this stage.

7. Accordingly, the appeal is dismissed.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

Alok Verma/-

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