

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5585 of 2024

Arising Out of PS. Case No.-415 Year-2022 Thana- ALOULI District- Khagaria

Ramnath Sada S/o- Late Fagu Sada Village- Machhara, P.S. Alauli, Distt. Khagaria

... .. Appellant/s

Versus

1. The State of Bihar
2. Bimla Devi W/o- Late Prakash Sada Village- Bhagwanpur Ps- Alauli Bahadurpur Dist- Khagaria

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ranjeet Kumar Singh, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, APP
For the Resp. No. 2	:	Mr. Laxmikant Tiwari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 04-07-2025 Heard Mr. Ranjeet Kumar Singh, learned counsel for the appellant, Mr. Laxmikant Tiwari, learned counsel appearing on behalf of the Respondent No. 2 as well as Mr. Sadanand Paswan, learned Spl.P.P. for the State.

2. This is an appeal under Sections 14(A)(2) against refusal of the prayer for regular bail by order dated 09.02.2024 passed by the Court of learned Additional Sessions Judge 1st Khagaria in connection with Alauli P.S. Case No. 415 of 2022, F.I.R. dated 08.09.2022 registered under Sections 341, 323, 302 and 504 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(2) (v) of the Scheduled Castes and Scheduled Tribes (POA) Act.



3. According to the prosecution case, all the accused persons including this appellant armed with fire arms and abused the informant and her husband by taking their caste name over a land dispute. It is further alleged that this appellant fired upon the husband of the informant due to which he died on the spot.

4. Learned counsel for the appellant submits that appellant is innocent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R that due to admitted land dispute between the parties the present occurrence took place and there is no intention to kill the deceased.

5. Learned counsel appearing on behalf of the Respondent No. 2 as well as learned Special Public Prosecutor for the State on the basis of material available on record and the case diary have vehemently opposed the prayer for bail of the appellant and submits that there is direct and specific allegation against the appellant that he has committed murder of the deceased who happens to be husband of the informant. They further submits that specific allegation of assault is against the appellant and apart from that postmortem report also supports the allegation as alleged in the F.I.R.



6. Considering the facts and circumstances of the case, I am not inclined to enlarge the appellant on bail in connection with Alauli P.S. Case No. 415 of 2022 pending in the court of learned Additional Sessions Judge 1st cum Special Judge (SC/ST), Khagaria.

7. Accordingly, the impugned order is affirmed and this appeal stands dismissed.

8. However, learned Trial Court is directed to expedite and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

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