

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.114 of 2026**

Arising Out of PS. Case No.-321 Year-2024 Thana- BALIYA District- Begusarai

Anth Kumar @ Ananth Kumar @ Anant Kumar @ Anand Kumar S/o Shibu  
Mahto @ Sibin Mahto R/o Village- Shastri Nagar, Bari Ballia Uttri, PS-  
Ballia, District- Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Naresh Paswan S/o Late Sonelal Paswan R/o vill - Singhaul (Singhoul),  
ward no. 1, P.s.- Ballia (Baliya), Distt.- Begusarai

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Sandip Kumar Gautam  
For the Respondent/s : Mr. Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

4      02-04-2026                      Heard learned counsel for the appellant, and learned  
Special Public Prosecutor for the State.

2. This is the 2<sup>nd</sup> attempt on behalf of the appellant for  
bail. Earlier the appeal was rejected by a co-ordinate Bench of  
this Court on 15.05.2025 in Cr. Appeal (SJ) No. 895 of 2025.

3. The present appeal has been filed by the appellant  
against the order dated 28.11.2025 passed by the Exclusive  
Special Judge, SC/ST Act, Begusarai in connection with Ballia  
(Baliya) P.S. Case No. 321 of 2024, registered under Sections  
103(1) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3(1)  
(r)(s) and 3(2)(va) of the SC/ST Act, whereby the prayer for bail  
of the appellant was rejected.

4. As per the prosecution case, on 01.10.2024, at  
about 7 o'clock in the evening, the co-accused, Prince Kumar,



had taken away the informant's son, namely Rajesh Kumar @ Dimpal, in the name of *Sata*. On 02.10.2024, the dead body of his son, Rajesh Kumar @ Dimpal, was recovered by the police from Husaina Nakta Bahiyar under Ballia Police Station. The police posted a photo of the dead body on social media. The informant then went to the police station and identified the dead body. The informant has alleged that his son, Rajesh Kumar @ Dimpal, was murdered by Prince Kumar, who then disposed of the body.

5. Learned counsel for the appellant submits that the appellant is innocent and has been falsely implicated in this case. He further submits that it has come during the investigation that the appellant has also participated in the crime and he is said to have cut the neck of the deceased with a sharp-edged weapon. The post-mortem report does not support the allegation against the appellant as there is no external caused by any sharp-edged weapon moreover the name of the appellant has come in the case on the confessional statement of the co-accused. It is also submitted that the appellant is in custody since 05.10.2024 and has no prior criminal antecedents.

6. Learned Spl. P.P. for the State and the learned counsel for the informant have opposed the grant of bail.

7. I have considered the submissions of the parties and



perused the records of the case. The trial is delayed though the appellant is in custody since 05.10.2024. Considering the delay in the trial and the period of custody, the appeal is allowed. Consequently, the order dated 28.11.2025 passed by the Exclusive Special Judge, SC/ST Act, Begusarai in connection with Ballia (Baliya) P.S. Case No. 321 of 2024 is hereby set aside.

8. Accordingly, the appellant is directed to be released on bail upon furnishing a bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Ballia (Baliya) P.S. Case No. 321 of 2024.

9. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

**(Sandeep Kumar, J)**

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