

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.308 of 2026

Arising Out of PS. Case No.-7 Year-2017 Thana- PAKRIDAYAL District- East Champaran

1. Munna Singh S/O Braj Kishor Singh Resident Of Village- Rampurva, P.S- Pakridayal, District- East Champaran at Motihari.
2. Abhijeet Prakash @ Pappu Singh S/O Ganesh Singh Resident Of Village- Rampurva, P.S- Pakridayal, District- East Champaran at Motihari.t Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. Madan Prasad S/O Late Ramswarup Sah Resident Of Village- Pakaridayal, P.S- Pakridayal, District- East Champaran at Motihari.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shashank Shekhar, Advocate
For the Respondent/s	:	Mr. Binay Krishna, SPP
For the Resp. No. 2	:	Ms. Ayushi Gupta, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-04-2026 Heard Mr. Shashank Shekhar, learned counsel for the appellants, Ms. Ayushi Gupta, learned counsel appearing on behalf of the Respondent No. 2 as well as Mr. Binay Krishna 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 02.01.2026 passed by the learned Court of Special Judge, SC/ST Act, East Champaran at Motihari in connection with Pakaridayal P.S. Case No. 07 of 2017, F.I.R. dated 19.01.2017 registered under Sections 302, 326, 307, 458, 120(B) of the IPC, Section 27 of



the Arms Act and Sections 3(2)(v)A of the Scheduled Castes and Scheduled Tribes Act (Prevention of Atrocities) Act.

3. According to the prosecution case, four miscreants came in front of the shop of informant and started indiscriminate firing causing firearm injury to Chuman Prasad, Manoj Kumar, Radheshyam and Subodh Paswan resulting into death of all except Radheshyam.

4. Learned counsel for the appellants submits that appellants have clean antecedent and they have falsely been implicated in the present case. He further submits that the appellants are not named in the FIR and their name has been transpired during investigation on the basis of CDR location and except the aforesaid, no other material has come during investigation which suggest the involvement of the appellants in the present occurrence. He further submits that the police, after investigation, submitted charge sheet against the appellants. The appellants are in custody since 08.12.2025.

5. Learned counsel appearing on behalf of the Respondent No. 2 as well as learned Special Public Prosecutor for the State have vehemently opposed the prayer for bail of the appellants and submits that it has come during investigation in paragraph no. 102 of the case diary that appellant no. 2, namely,



Abhijeet Prakash @ Pappu Singh was in contact with the main accused, Santosh Singh and except aforesaid, nothing has come during investigation which suggest the involvement of the appellants in the present occurrence.

6. Considering the aforesaid facts and circumstances of the case, let the appellant, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court of Special Judge, SC/ST Act, East Champaran at Motihari in connection with Pakaridayal P.S. Case No. 07 of 2017, with other following conditions:-

i. Appellants shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the appellants tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the appellants and in case at any stage it is found that the appellants have concealed their



criminal antecedent, the court below shall take step for cancellation of bail bond of the appellants. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. Accordingly, the impugned order is set aside and this appeal stands allowed.

(Rajesh Kumar Verma, J)

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