

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.864 of 2026

Arising Out of PS. Case No.-477 Year-2024 Thana- DIGHA District- Patna

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Rajnish Kumar @ Bawla S/O Late Damodar Prasad Resident of Mithila
Colony, Nach Bagicha, P.S.- Danapur, District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Sangeeta Devi W/O Late Vijendra Paswan R/O Gandhi Gali, Main Road,
Gramji Chak, P.s.- Digha, Dist.- Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Akhauri Kamal Kishore Sahay
For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 02-04-2026

Ref:- I.A. No. 1 of 2026

This is an application for condonation of delay of
about 8 days in filing of the present Cr. Appeal (SJ) No. 864 of
2026.

For the reasons mentioned in the limitation petition,
I.A. No. 01 of 2026 is allowed. The delay in filing the present
appeal is hereby condoned.

Ref:- Cr. Appeal (SJ) No. 864 of 2026

Heard learned counsel for the appellant, and learned
Special Public Prosecutor for the State.

2. The present appeal has been filed by the appellant
against the order dated 07.11.2025 passed by the Exclusive



Special Judge, SC/ST Act, Civil Court (Sadar), Patna in Special Case No. 474 of 2024, arising out of Digha P.S. Case No. 477 of 2024, registered under Sections 118, 109, 61(2) and 103 of the Bharatiya Nyaya Sanhita, 2023, Sections 25(1-b)a, 26, 27, and 35 of the Arms Act, and Sections 3(1)(r)(s) and 3(2)(va) of the SC/ST Act, whereby the appellant's prayer for bail was rejected.

3. As per the prosecution case, eight miscreants riding on three motorcycles came and fired indiscriminately at the informant's son and his friend, causing injuries. They also fired at the informant, but she escaped. Further, the informant has alleged that the co-accused persons, along with some unknown miscreants, fired at the informant's son and his friend indiscriminately with the intention to kill. Thereafter, nearby people started pelting stones at the accused persons, and then they fled, and the informant's son and his friend were taken to the hospital.

4. The appellant is in custody since 09.12.2024, and he has three criminal antecedents.

5. Considering the serious nature of the allegations, the involvement of multiple accused, and the fact that the appellant, along with others, fired indiscriminately, causing injury to the victim and resulting in the death of the deceased,



this Court is not inclined to grant bail to the appellant.

6. Accordingly, the appeal is rejected. The trial is directed to be expedited.

7. 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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