

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.911 of 2026

Arising Out of PS. Case No.-562 Year-2024 Thana- GAURICHAK District- Patna

Shishupal Kumar @ Shishupal Ram S/O Raja Ram R/O Vill.- Bibipur,P.S-
Gauricgak, Dist- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajiv Paswan S/O Surendra Paswan R/O Vill.- Bibipur,P.S- Gauricgak, Dist- Patna

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Kumar Binode Bariar
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-07-2026 1. Heard learned counsel for the appellant and learned
Spl. P.P. for the State, Sri Binay Krishna.

2. This is an appeal under Section 14-A(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST
Act”) against the refusal of prayer for anticipatory bail vide
order dated 10-6-2025 passed by the learned Special Judge
S.C./S.T. (POA) Act, Civil Court (Sadar), Patna in connection
with Gaurichak P.S. Case No. 562 of 2024 registered for the
offences punishable under Sections 103(1), 109 and 3(5) of the
BNS and Section 27 of the Arms Act as well as Section 3(2)(V)
of the SC/ST Act.



3. In view of the ground taken in the in the limitation application, delay of 74 days in filing the appeal is condoned, as such I.A No. 1 of 2026 is allowed.

4. Learned counsel for the appellant submits that appellant is a person with clean antecedent and the informant alleges that on 3-10-2024 at 6:30 PM, 9 named accused persons including the appellant came and started abusing, it is next alleged that on objection Raj Kishore fired causing fire-arm injury on forehead of his son and one bullet hit his wife on shoulder and Kaushal escaped narrowly, further the doctor declared his son dead and wife is under treatment.

5. Learned counsel for the appellant submits that the appellant has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the specific allegation of firing is alleged against Raj Kishore. It is also submitted that appellant is a businessman and has his business at Ludhiyana and on the time of occurrence was not even present at the place of occurrence.

6. Learned Spl. P.P. for the State opposes the prayer for anticipatory bail of the appellant and submits that what is not in dispute rather stands admitted is that son of the informant



died on account of injury suffered by fire-arm. It is next submitted that plea of alibi is a weak plea. It is also submitted that appellant may not have fired but then his presence at the place of occurrence emboldened the accused to commit the occurrence of firing leading to death of son of the informant.

7. Considering the submission made by learned Spl. PP, the Court is not inclined to extend the privilege of anticipatory bail to the appellant.

8. Accordingly, the appeal is dismissed.

(Satyavrat Verma, J)

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