

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2289 of 2025

Arising Out of PS. Case No.-49 Year-2023 Thana- KORHA District- Katihar

Md.Hasan @Md. Hasan Arshad @ Chhotu @ Hasan Arshad S/O Hasan Saeed
Resident Of Village -Morsanda, Ps- Falka, Distt.- Katihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Manoj Kumar Son of Late Raj Kumar Das Resident of Village- Faridpur Das Tola, P.S.- Jamalpur, Distt.- Munger

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mrs. Nivedita Nirvikar, Sr. Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, SPP
For the Resp. No.2	:	Ms. Moni Kmari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

10 25-06-2026 Heard Mrs. Nivedita Nirvikar, learned senior counsel for the appellant, Ms. Moni Kumari, learned counsel appearing on behalf of the Respondent No. 2 as well as Mrs. Usha Kumari 1, 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 10.02.2025 passed by the learned Court of District and Additional Sessions Judge-I-cum-Special Judge, SC/ST Act-cum-Children Court, Katihar in connection with Korha P.S. Case No. 49 of 2023, F.I.R. dated 09.02.2023 registered under Sections 302, 120(B), 34 of the Indian Penal Code and Sections 3(2)(v)(va) of the Scheduled Castes and Scheduled Tribes (POA) Act.



3. Earlier the bail application of the appellant has been rejected twice vide orders dated 11.01.2024 and 22.11.2024 in Cr. appeal(SJ) No-3255 of 2023 and Cr. Appeal(SJ) No. 3302 of 2024.

4. Learned counsel for the appellant submits that appellant is innocent and he has falsely been implicated in the present case. She next submits that similarly situated co-accused person, namely, Md. Sajjad @ Mohammad Sajjat @ Rokky has been granted the privilege of bail by the this Court vide order dated 28.06.2024 in Cr. Appeal(SJ) 4554 of 2023.

5. Vide order dated 10.07.2025 a report was called with regard to stage of the trial. Report of the learned Trial Court dated 28.02.2026 reveals that all prosecution witnesses have been examined and the case is pending for examination of defense witnesses.

6. 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 appellant.

7. Considering the facts and circumstances of the case as well as report of the Trial Court, I am not inclined to enlarge the appellant on bail in connection with Korha P.S. Case No. 49



of 2023, pending in the court of learned District and Additional Sessions Judge-I-cum-Special Judge, SC/ST Act-cum-Children Court, Katihar.

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

9. However the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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