

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3205 of 2025

Arising Out of PS. Case No.-239 Year-2024 Thana- KOCHADHAMAN District- Kishanganj

Karan Kumar Chaupal S/o Mohan Kumar Chaupal @ Mohan Lal Chaupal
Resident of village - Burimari, ward no. 14, P.S.- Kochhadhaman, Distt.-
Kishanganj

... .. Appellant/s

Versus

1. The State of Bihar
2. Lakshmi Devi W/o Late Satish Lal Chaupal R/o vill - Budhimari, ward no. 14, P.S.- Kochadhaman, Distt.- Kishanganj

... .. Respondent/s

Appearance :

For the Appellant/s	:	Ms. Diksha Kumari, Advocate
For the State	:	Ms. Usha Kumari 1, SPP
For the Informant	:	Mr. Ram Prawesh kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 05-02-2026 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State and learned counsel for the informant. Perused the case diary.

2. The instant appeal has been filed by the appellant against the order dated 27.06.2025 passed by learned Additional Sessions Judge-1st, Kishanganj whereby the prayer for bail of the appellant in connection with Kochadhaman P.S. Case No. 239 of 2024 under Sections 103(1), 238, 61(2), 3(5) of the BNS and 3(i)(r), 3(2)(v) of SC/ST Act was rejected.

3. The prosecution case, in short, is that the unknown accused persons committed the murder of the informant's



husband by slitting his neck with sharp weapon.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. Appellant is not named in the F.I.R. The name of the appellant has transpired on the basis of confessional statement of co-accused co-accused Dhiran Kumar Chaupal. Learned counsel further submits that the mobile phone which was recovered from the place of occurrence does not belong to the appellant. No incriminating article has been recovered from the conscious possession of the appellant. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view, hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 09.11.2024 and has no criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant. Learned SPP further submitted that as per paragraph nos. 37, 38, 39 and 40 of the case diary, the last call on the mobile phone of the deceased was made by the mobile number which belongs to the son of co-accused and also the appellant



has confessed his guilt and has disclosed the manner in which he committed the murder of the deceased which is corroborated by the post-mortem report. Learned SPP for the State and learned counsel for the informant jointly prayed that appellant may not be released on bail. Appeal of similarly situated co-accused person has been dismissed by this Court vide order dated 27.03.2025, passed in Cr. Appeal (SJ) No. 165 of 2025.

6. Considering the aforesaid facts and circumstances of the case, there being ample material against the appellant available in the case diary supported by the medical evidence, this Court is not inclined to grant bail to the appellant.

7. Accordingly, the present appeal is *dismissed*.

8. However, appellant will be at liberty to renew his prayer for bail in the Court below, if the trial is not concluded within a period of three months.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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