

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3435 of 2025

Arising Out of PS. Case No.-141 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Bhai Ram Paswan @ Bhaiya Ram Paswan @ Bhaiyya Ram Paswan S/o Late
Nawal Kishore Paswan R/o Mohalla- Driver Tola Katihar, PS-Nagar Katihar,
District- Katihar

... .. Appellant/s

Versus

1. The State of Bihar
2. Dinesh Paswan S/o Late Gore Lal Paswan R/o Driver Tola, P.S.- Katihar
Town, Distt.- Katihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Amit Srivastava, Sr. Adv Mr.Akhauri Kamal Kishore Sahay
For the Respondent/s	:	Ms.Usha Kumari 1, Spl. PP Mr. Rajendra Narain, Sr. Adv Ms. Moni Kumari, Adv Mr. Satish Kr. Sinha, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

7 01-05-2026 **1.** Heard learned senior counsel for the appellant, Sri
Amit Srivastava; learned Spl. P.P. for the State, Ms. Usha
Kumari No. 1 and learned senior counsel appearing on behalf of
the informant, Sri Rajendra Naraian.

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 regular bail vide order
dated 22-7-2025 passed by the learned 1st Additional Sessions
Judge-cum-Special Judge S.C./S.T. (POA) Act, Katihar in



connection with Katihar Nagar P.S. Case No.141/2024 registered for the offences punishable under Sections 302, 120(B), 34 of the Indian Penal Code as well as Sections 3(2)(v) of the SC/ST Act and 25(1-B), 26, 27 and 35 of the Arms Act.

3. Learned senior counsel for the appellant submits that this is the third attempt of the appellant to seek regular bail and appellant is in custody since 6-4-2024.

4. At this stage, the learned senior counsel appearing on behalf of the informant submits that appellant had earlier moved before this Court seeking regular bail by filing Cr. Misc No. 50921 of 2024 and the same came to be rejected by an order dated 31-8-2024, after considering the case on merit and in details. It is next submitted that trial has commenced and out of 14 prosecution witnesses, 8 prosecution witnesses have been examined as such the trial is progressing and if privilege of bail is granted at this stage, the appellant may abscond.

5. Learned senior counsel appearing on behalf of the appellant submits that Banti Jaiswal had approached this Court seeking regular bail by filing Cr. Appeal (SJ) No. 1784 of 2025 and the same came to be allowed by an order dated 1-8-2025, on which the learned senior counsel appearing on behalf of the informant submits that the case of the instant appellant is not



akin to the case of Banti Jaiswal, It is also submitted that when appellant had earlier moved before this Court seeking regular bail by filing Cr. Misc No. 50921 of 2024 by that time the charge-sheet was not submitted and subsequently when charge-sheet came to be submitted, the same was submitted under various sections of IPC including the SC/ST Act.

6. At this stage, the learned senior counsel appearing on behalf of the appellant submits that while rejecting the regular bail application of the appellant by order dated 18-4-2025 in Cr. Appeal (SJ) No. 1148 of 2025, it was recorded that – “The Court while rejecting the bail application of the appellant by order dated 31-8-2024 in Cr. Misc No. 50921 of 2024 had recorded a detailed order, as such, the Court is not inclined to release the appellant on bail for the present”. It is thus submitted that while rejecting the bail application of the appellant for the second time, the Court had recorded that it was being rejected “for the present”, which amply meant that on the next occasion the bail would be considered.

7. Since the trial has progressed and out of 14 prosecution witnesses, 8 prosecution witnesses have been examined, as such the Court is not inclined to release the appellant on bail.



8. Accordingly, the prayer for bail of the appellant is
rejected.

(Satyavrat Verma, J)

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