

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3635 of 2025

Arising Out of PS. Case No.-416 Year-2020 Thana- PARBATTa District- Khagaria

Satyam Kunwar @ Satyam Kumar, Son of Bilash Kunwar, R/o - Srirampur
Thuthi, P.S - Parbatta, District – khagaria Appellant/s
Versus

1. The State of Bihar
2. Mritunjay Sharma, son of Late Nago Sharma Resident of village - Temtha
Karari, Ward no. 2, PS- Parbatta, Dist- Khagaria
... ... Respondent/s

Appearance :

For the Appellant	:	Mr. Anil Kumar Choudhary, Adv.
For the State	:	Mr. Sadanand Paswan, SPP
For the Resp. No. 2	:	None.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 09-01-2026 Heard Mr. Anil Kumar Choudhary, learned counsel
for the appellant and Mr. Sadanand Paswan, learned SPP for the
State.

2. This appeal has been preferred by the appellant under section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015 (in short, ‘SC/ST Act’) against the order dated 29.05.2025 passed by the court of learned District & Additional Sessions Judge-I-cum Special Judge (SC/ST), Khagaria, in connection with Supplementary Parbatta P.S. Case No. 416 of 2020, by which the appellant’s prayer for bail has been rejected.

3. The main submissions advanced by appellant’s counsel are that this is the second attempt of the appellant to get the relief of bail and his first prayer for the same relief was



rejected by this Court vide order dated 10.01.2025 passed in Cr. APP(SJ) No. 1132/2024, by which the trial court was directed to take step to conclude the appellant's trial as early as possible keeping in view that the appellant has been languishing in jail since 19.05.2023 but even then there is no significant progress in his trial as out of four witnesses shown in the chargesheet, only two witnesses have been examined, which shows the lingering attitude of the prosecution and out of the said two witnesses, one witness went hostile and the second witness, who happens to be the wife of the deceased, is a hearsay witness. It is further submitted that a separate trial is running in connection with co-accused Bipul Singh bearing Sessions Trial No. 31/2022 in which three material witnesses of the prosecution have also been examined whose depositions' copies have been filed with this appeal and the informant has not supported the case of the prosecution. It is lastly submitted that there is no chance of completion of the appellant's trial in near future.

4. No one appears on behalf of the respondent No. 2 despite the notice having been served upon him.

5. On the other hand, learned SPP appearing for the State has opposed the prayer of the appellant and submits that there is serious allegation against the appellant, though, a significant delay has taken place in the trial of the appellant as revealed by the appellant in his petition.



6. Heard both the sides and perused the relevant materials. Though there is serious allegation against the appellant, however, this is the second attempt of the appellant to get the relief of bail and while rejecting his first prayer, the trial court was directed to conclude the appellant's trial as early as possible and thereafter, a period of one year has passed but even then only two prosecution witnesses out of six prosecution witnesses have been examined so far, which shows lingering attitude of the prosecution, so, considering this aspect as well as appellant's custody period and the above submissions, this Court is now inclined to release the appellant on bail. Accordingly, let the appellant named above be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-I-cum Special Judge (SC/ST), Khagaria, in connection with Supplementary Parbatta P.S. Case No. 416 of 2020.

7. **In result**, the instant appeal stands allowed and the order impugned is hereby set aside.

(Shailendra Singh, J)

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