

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3641 of 2025

Arising Out of PS. Case No.-523 Year-2021 Thana- BARH District- Patna

Suraj Saw @ Suraj Tailee @ Suraj Teli S/O Om Prakash Saw @ Aami Saw @
Umesh Saw @ Umesh Sah R/O Village- Pachami Pandarak, P.S.- Pandarak,
District- Patna, Bihar.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Dharam Raj Kumar S/O Sri Krishna Mohan Prasad R/O Gopkita, P.S-
Pandarak, Distt.- Patna.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Raj Krishna Jha
For the Respondent/s	:	Mr.Binay Krishna
For the Informant	:	Mr. Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 12-05-2026 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel for
the informant/Respondent No. 2.

2. This appeal has been filed against the order dated
12.08.2025 passed by learned Exclusive Special Judge, SC/ST
Act, Patna in Special Case No. 16 of 2022, arising out of Barh
P.S. Case No. 523/2021, registered for the offences under
Sections 307, 302, 120B, 34 of the Indian Penal Code, Section
27 of the Arms Act and Section 3(2)(v) of the SC/ST Act,
whereby the prayer for bail of the appellant has been rejected.

3. As per prosecution case, appellant and others are



alleged to have committed murder of brother of the informant Priyaranjan Kumar @ Gore Lal Yadav along with other co-accused persons by causing firearms injury, while he was returning from a marriage party, in the background of local political rivalries. Brother of the informant died during treatment. In the occurrence, Rajesh Kumar also sustained gunshot injuries and died.

4. Learned counsel for the appellant submits that appellant has falsely been implicated in this case due to political rivalry. There is general allegation against the appellant and other co-accused persons that they have fired at the informant's brother. Appellant is in custody since 05.05.2022 and in the trial, out of 11 witnesses only five have been examined yet.

5. Learned Special Public Prosecutor for the State as well as learned counsel for the informant/Respondent No. 2 vehemently opposes the appeal and submits that the appellant is named in the F.I.R. The SDPO, Barh, the SHO of Pandarak Police Station and the I.O. of the case have appeared in this Court and they have assured this Court that the witnesses will be produced in the Court on the dates fixed. Learned counsel for informant has also assured this Court that the informant will co-operate in the trial.



6. Considering the accusation against the appellant, the gravity of the offence and the antecedents of the appellant, this appeal stands dismissed.

7. The trial Judge is directed to conclude the trial of the petitioner at the earliest and if required, he will hold the trial on day to day basis.

8. The informant is also directed to co-operate in the trial.

9. The personal appearance of the police officials is dispensed with.

(Sandeep Kumar, J)

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