

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3990 of 2025**

Arising Out of PS. Case No.-132 Year-2025 Thana- TILAUTHU District- Rohtas

NIKHIL KUMAR SINGH @ NIKHIL SARKAR @ NIKHIL KUMAR S/o-
Late Nagendra Prasad Singh R/v- Chaurakp Ps- Tilauthu Dist- Rohtas at
Sasaram

... .. Appellant/s

Versus

1. The State of Bihar
2. Awadhesh Ram S/o- Late Jaikaran Ram R/v- Chaurakp Ps- Tilauthu Dist-
Rohtas at Sasaram

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Tribhuwan Narayan, Advocate
For the Respondent/s	:	Mrs. Usha Kumari 1, SPP
For the Informant	:	Mr. Babu Nandan Prasad, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 22-01-2026 Heard learned counsel for the appellant, learned
Special Public Prosecutor for the State and learned counsel for
the informant.

2. The instant appeal has been filed by the appellant
against the order dated 23.08.2025 passed by Special Justice,
SC/ST Act, Rohtas at Sasaram whereby the prayer for bail of the
appellant in connection with Tilauthu P.S. Case No. 132 of 2025
under Sections 103, 3(5) of the Bharatiya Nyaya Sanhita, 2023
and Section 3(2)(v) of SC/ST Act was rejected.

3. The prosecution case, in short, is that during
marriage preparations at the informant's house, unknown



persons fired shots upon the informant's son who died while being taken to hospital.

4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case during investigation. 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. Learned counsel further submitted that, as a matter of fact, the co-accused Abhimanyu Kumar and Rabita Devi had tendered money to Vikash Kumar Sah and Ankit Kumar to commit the murder of the deceased. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 11.07.2025 and has three criminal antecedents.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant, stating that co-accused Abhimanyu Kumar, in his confessional statement has specifically stated the active participation of the appellant in the commission of murder of the deceased, and therefore, the appellant does not deserve to be



released on bail. Learned SPP further submitted that the confessional statement of the appellant finds place in paragraph no. 46 of the case diary, and upon perusal of the same it appears that the role of the appellant in the occurrence is that of conspirator and, therefore, he may not be released on bail.

6. Considering the aforesaid facts and circumstances of the case as also the nature and gravity of offence, this Court is not inclined to grant bail to the appellant.

7. Accordingly, the present appeal is dismissed.

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the appellant to renew his prayer for bail before the learned court below itself if the trial is not concluded within a period of six months from today.

(Rudra Prakash Mishra, J)

Alok Verma/-

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