

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4160 of 2025

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

Prashant Poddar @ Prashant Kumar S/o Pradip Kumar Poddar Resident of
Village - Bhelai, P.S - Dandkhora, District - Katihar.

... .. Appellant/s

Versus

1. The State of Bihar
2. Dinesh Paswan S/o Late Gorelal Paswan Resident of - Driver Tola, P.S -
Nagar, District - Katihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Vivekanand Jha, Adv Mr.Sharda Nand Mishra, Adv
For the Respondent/s	:	Mr.Sadanand Paswan, APP Ms. Moni Kumari, Adv Mr. Satish Kumar Sinha, Adv

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 01-05-2026 **1.** Heard learned counsel for the appellant and learned
Spl. P.P. for the State.

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 21-5-2025 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 counsel for the appellant submits that appellant is a person with clean antecedent and is in custody since 24-2-2025 and the informant alleges that his son was killed by unknown accused and one Alok Pradhan was apprehended from the spot, apart from other details.

4. Learned counsel for the appellant submits that the appellant is not named in the FIR and his name transpired in the confessional statement of Bhaskar Jha @ Bidhayak. It is next submitted that Bhaskar Jha @ Bidhayak had approached this Court seeking regular bail by filing Cr. Appeal (SJ) No. 1793 of 2025 and the same came to be allowed by an order dated 1-8-2025. It is further submitted that charges against the appellant stands framed and trial has commenced, but then out of 14 prosecution witnesses only one prosecution witness has been examined. It is also submitted that since Bhaskar Jha has been granted the privilege of regular bail, as such the case of the appellant is on a better footing. It is next submitted that Alok Pradhan was apprehended from the spot and based on his confessional statement, name of Mannu Kumar Jha @ Manu Jha transpired. It is further submitted that Mannu Jha had approached the Hon'ble Supreme Court by filing Cr. Appeal No.



1765 of 2026 and the same came to be allowed by an order dated 6-4-2026.

5. Learned Spl. P.P. for the State opposes and learned counsel appearing on behalf of the informant the prayer for bail of the appellant, but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the appellant that Bhaskar Jha has been granted the privilege of regular bail. Learned APP next submits that if privilege of regular bail is granted to the appellant, the appellant may abscond, on which the learned counsel appearing on behalf of the appellant submits that appellant will not abscond rather will co-operate in the trial to prove his innocence.

6. After hearing the learned counsel for the parties and taking into consideration the submission made by learned counsel for the appellant, the appellant, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Katihar Nagar P.S. Case No.141/2024.

7. One of the bailors of the appellant shall be his father, namely, Pradip Kumar Poddar.



8. It is made clear that if the learned trial court comes to a conclusion that appellant after his release is trying to delay the trial in any manner, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the appellant.

9. Accordingly, the impugned order is set aside and this appeal stands allowed

(Satyavrat Verma, J)

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