

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4572 of 2025

Arising Out of PS. Case No.-321 Year-2024 Thana- BALIYA District- Begusarai

Prince Kumar @ Prabhakar @ Prince Kumar Prabhakar @ Prabhakar Kumar
S/o Ram Vilas Singh R/o Village - Tarbanna, P.S- Sahebpur Kamal, District -
Begusarai

... .. Appellant/s

Versus

1. The State of Bihar
2. Naresh Paswan S/o Late Sonelal Paswan R/o Village - Singhaul, Ward No. 01, P.S - Singhaul, District - Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Priyanka Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 18-02-2026 Heard learned counsel for the appellant, learned

Special Public Prosecutor for the State and learned counsel for

the informant.

2. The appellant seeks regular bail in connection with

Ballia P.S. Case No.321 of 2024 lodged for offences punishable

under Section 103(1) of the BNS read with Sections 3(1)(r)(s),

3(2)(v) of SC/ST (Prevention of Atrocities) Act pending before

the Court of Exclusive Special Judge SC/ST (POA) Act,

Begusarai.

3. The present appeal has been filed for setting aside

the order dated 06.08.2025 passed by learned Exclusive Special

Judge, SC/ST (POA) Act, Begusarai in connection with Ballia



P.S. Case No.321 of 2024.

4. Counsel for the appellant submits that the bail application of the appellant has been rejected earlier vide order dated 05.06.2025 passed in Cr. Appeal (SJ) No.614 of 2025. He further submits that the allegation against the appellant is that the victim was killed by him and thereafter, dead body of the deceased has been recovered. He further submits that only by virtue of suspicion, the name of appellant has been inserted in this case.

5. Counsel further submits that there is no material against him, save and except, the confessional statement of the co-accused, namely, Satish Kumar, which cannot be relied upon. He further submits that appellant is in custody since 05.10.2024 having clean antecedent.

6. Counsel for the appellant submits that the co-accused, namely, Satish Kumar has been granted bail by the Co-ordinate Bench of this Court vide order dated 15.05.2025 passed in Cr. Appeal(SJ) No.1265 of 2025. He further submits that from the post-mortem report, it is clear that death has been caused due to Hypoxia as a result of strangulation, whereas in the confessional statement, allegation of murder has been made. He further submits that there is sharp contradiction in the ocular



evidence and the post-mortem report.

7. Learned counsel for the informant vehemently opposes the bail of the appellant and submits that appellant is involved in the murder of the deceased.

8. Learned Special Public Prosecutor opposes the prayer for bail and submits that in the case diary, a detailed material has come against the appellant that he in connivance with other co-accused, have killed the deceased.

9. Upon specific query of the Court that whether charge has been framed or not? In this regard, counsel submits that as per his knowledge, charge has not been framed till date.

10. In this view of the matter, this Court is not inclined to grant bail to the appellant. Therefore, the bail application of the appellant is hereby rejected.

11. However, liberty is hereby granted to the appellant that if charge shall not be concluded within one year from today, then in that case, he may move for bail.

(Dr. Anshuman, J)

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