

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4602 of 2025

Arising Out of PS. Case No.-408 Year-2024 Thana- DAWATH District- Rohtas

=====

Suman Kumar Son of Late Baban Singh Resident of Village- Jagodhara PS--
Dawath Distt- Rohtas

... .. Appellant/s

Versus

1. The State of Bihar
2. Ravish Kumar son of Nagendra Paswan Resident of Village- Jagodhara PS--
Dawath Distt- Rohtas

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Shashi Kant, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 20-04-2026 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 23.07.2025 passed by learned Special
Court SC/ST Act, Sasaram, Rohtas whereby the prayer for bail
of the appellant in connection with Dawath P.S. Case No. 408 of
2024 under Sections 126(2), 115(2), 103(2), 109, 3(5) of the
B.N.S., 2023 and Sections 3(i)(r), 3(i)(s), 3(ii)(va) of SC/ST Act
was rejected.

3. The case of the respondent, in short, is that the
appellant along with others have killed the brother of the



respondent.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. He also submits that during the course of investigation, it has come that one Ranjan is the person who has fired at the deceased. There is no specific allegation against the appellant. He further submits that similarly situated co-appellant namely, Sikandra Kumar @ Sikendra Kumar @ Sikandra Kumar has been granted bail by the learned coordinate bench of this court vide Cr. Appeal (SJ) No. 2462 of 2025. Moreover, a statement has been made in para-3 of this petition that the appellant has got no criminal antecedent and he is languishing in judicial custody since 20.02.2025.

5. The appeal for bail is vehemently opposed by learned Spl. P.P. for the state and learned counsel for the respondent and submitted that the appellant is named in FIR. Learned counsel for the respondent also submits that in paragraph nos. 20, 21 and 22 of the case diary, the eye-witnesses have specifically stated that Suman called the deceased and the call was made from mobile of Ranjan. Suman was also threatening the deceased and others for filing case of theft and Ranjan has fired at the deceased. From perusal of these



paragraphs of the case diary, it is clear that I.O. has recorded the statement of the witnesses showing them to be eye witness. From perusal of the statement of these witnesses, it is clear that the main thrust of the allegation is against Ranjan. This appellant has only threatened the deceased and others for filing case of theft, as, according to him, they have stolen the paddy crop.

6. Having heard learned counsel for the parties and taking into consideration that there is general and omnibus allegation against the appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 23.07.2025 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Dawath P.S. Case No. 408 of 2024 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Court, SC/ST Act, Sasaram, Rohtas.

(Ashok Kumar Pandey, J)

Sudhanshu/-

U		T	
---	--	---	--

