

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4612 of 2025

Arising Out of PS. Case No.-129 Year-2025 Thana- KATRA District- Muzaffarpur

Aman Kumar Raut @ Aman Kumar Son of Pappu Raut Resident of village -
Lakhanpur, P.S.- Jaguar (Katra), District - Muzaffarpur.

... .. Appellant

Versus

1. The State of Bihar
2. Gopi Ram Son of Late Ganpat Ram Resident of village - Lakhanpur, P.S.-
Jaguar (Katra), District - Muzaffarpur.

... .. Respondent

Appearance :

For the Appellant/s	:	Mr. Manoj Kumar
For the Respondent/s	:	Ms. Usha Kumari 1
For Resp. No. 2	:	Mr. Pradeep Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 30-04-2026 Heard learned counsel for the appellant, learned
counsel for the respondent no.2 and learned Spl.P.P. for the
State.

2. This is an appeal under Sections 14(A)(2) against
refusal of the prayer for regular bail by order dated 15.09.2025
passed by the learned Special Judge, SC/ST (POA) Act,
Muzaffarpur in connection with Katra P.S. Case No. 129 of
2025 registered under Sections 103, 3(5) of the BNS, 2023 and
Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes
Act (Prevention of Atrocities) Act.

3. The case of the prosecution, in brief, is that the
instant case is initiated upon written impression wherein the



informant alleges that on 19.05.2025 at about 7 P.M from near Ramjanki Mandir Lakanpur, 1. Sudhir Raut 2. Aman Kumar Raut 3- Viki Raut, who are resident of same village, his younger grand son saw them taking his elder grand son Suraj Kumar and till 10 P.M, Suraj Kumar did not return so they searched him whole night on 20.05.2025 at about 6 A.M he came at Champa Gachhi for easing when he saw his grand son has been killed and his necked body was lying, blood was oozing from eye, penis and heart. There were five hundred rupees and mobile no. 8294215261.

4. Learned counsel for the appellant submits that the allegation as alleged in the FIR is forged and fabricated and the appellant has not committed any offence as alleged in the FIR and there is no eye-witness to the alleged occurrence and the appellant has been falsely implicated merely on the basis of suspicion. Learned counsel for the appellant fairly submits that although the appellant and co-accused persons have last seen with the deceased but except the aforesaid no other cogent material has come to suggest the involvement of appellant in the present case. It is next submitted that police after investigation has submitted charge-sheet and the appellant is in custody since 08.07.2025.



5. Learned counsel appearing on behalf of the respondent no.2 and the learned Special Public Prosecutor for the State have vehemently opposed the prayer for bail of the appellant and submit that the number of witnesses have stated before the police that they have seen the appellant with the deceased which is mentioned in paragraph nos. 7,8,9,10,11 and 12 of the case diary. Apart from aforesaid, the appellant has antecedent of one more case other than the present case but fairly submit that the appellant is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances of the case, let the appellant, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST (POA) Act, Muzaffarpur in connection with Katra P.S. Case No. 129 of 2025 with other following conditions:-

i. Appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the appellant tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage it is found that the appellant have concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

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

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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