

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.4958 of 2025**

Arising Out of PS. Case No.-60 Year-2025 Thana- BELSAND District- Sitamarhi

Kanhai Kumar Singh @ Kanhai Kumar S/o Late Anand Kishore Singh R/o  
Village- Balsand Kothi, Ward No. 1, P.S.- Belsond, Dist. - Sitamarhi

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Sunil Kumar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl.P.P.

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

3      19-03-2026      Heard learned counsel for the appellant and learned  
Special Public Prosecutor for the State.

2. The instant appeal has been filed by the appellant against the order dated 20.11.2025 passed by learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Sitamarhi whereby the prayer for bail of the appellant in connection with Belsand P.S. Case no. 60 of 2025 under Sections 103, 352, 351(2) of BNS and Sections 3(1) (r), 3(1)(s), 3(2) (va) 3(1) of the SC/ST Act was rejected.

3. The case of the prosecution is that the appellant has gone to the house of the respondent due to some dispute and as the husband of the respondent came out of the house, the appellant abused him with his caste name and threatened him of dire consequences. It is alleged that at about 8:30 PM, the



husband of the respondent followed the appellant and when her husband did not return his house at 9:15 PM, the villagers saw the husband of the informant in brick-kiln in unconscious position in pool of blood. From there, he was referred to Muzaffarpur where he was declared dead by the doctors.

4. It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. From perusal of the FIR, it is clear that the the case of the respondent is that the appellant was seen at 8:30 PM with the deceased and at 9:15 PM, the deceased was found in injured condition. It has further been submitted that from perusal of the entire diary, it is clear that there is no eye witness to this case. The witnesses have only stated that they came to know that there was some disputes between the deceased and the appellant. It has also been submitted that Annexure-P/2 will go to show that the appellant is a handicap person and his right leg is amputated below the knee. He has been framed in this case due to the dispute which has been described in the FIR. As far as the allegation of abusing the deceased with caste name is concerned, the same was not in public view. Moreover, the appellant is languishing in judicial custody since 19.09.2025.

5. The appeal for bail is opposed by learned Spl. P.P.



for the State and has submitted that appellant is having criminal antecedent of three cases.

6. Having heard learned counsel for the parties and taking into consideration that there is no any specific overt act against the appellant, the Court is inclined to allow this appeal. Accordingly, the appeal is allowed and the impugned order dated 20.11.2025 is hereby set aside.

7. The appellant is directed to be enlarged on bail in connection with Belsand P.S. Case No. 60 of 2025 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 1<sup>st</sup> Additional Sessions Judge-cum-Spl. Judge, SC/ST (POA) Act, Sitamarhi.

**(Ashok Kumar Pandey, J)**

Shubham/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

