

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3 of 2026

Arising Out of PS. Case No.-562 Year-2024 Thana- GAURICHAK District- Patna

Katish Ram @ Katis Ram @ Kashish Ram S/O Late Kishan Ram R/O Vill.-
Bibipur, P.S.- Gaurichak, Dist.- Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Rajeev Paswan S/O Surendra Paswan R/O Vill.- Bibipur, P.S.- Gaurichak,
Dist.- Patna.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Kahkashan Alam, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 17-07-2026 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State. No one appears on behalf
of respondent no.2 inspite of service of notice.

2. The instant appeal has been preferred against the
order dated 10.9.2025 whereby the prayer for grant of
anticipatory bail of the appellant in connection with Gaurichak
P.S. Case no.562 of 2024 registered under sections 103(1), 109
and 3(5) of the Bharatiya Nyaya Sanhita, 2023, section 27 of the
Arms Act, 1959 and section 3(2)(v) of the SC and ST
(Prevention of Atrocities) Act, 1989 was rejected by the learned
trial Court.

3. As per the prosecution case, the nine named accused
persons including the appellant herein are said to have come



variously armed, of having used caste related words and of having fired upon the informant's son. It is stated that as a result of the firing resorted to by Raj Kishore Ram, the son of the informant sustained gun shot injury in his head. In the indiscriminate firing, Sunita Devi sustained gun shot injury in her shoulder. It is further stated that on being taken to the Doctor, the informant's son was declared dead.

4. Learned counsel for the appellant submits that the appellant has been falsely implicated in the case. Accepting the allegations levelled in the FIR, no offence under the SC and ST Act is made out so far as the appellant is concerned. The allegations of overt act of firing is specific on Raj Kishore Ram. The case of the appellant stands on a similar footing to that of co-accused Manoj Ram and Santosh Ram who have been enlarged on bail vide order dated 9.2.2026 passed in Cr. Appeal (SJ) no.3476 of 2025.

5. The appeal is opposed by learned Special Public Prosecutor for the State.

6. Having heard learned counsel for the parties and having perused the allegations in the FIR, taking into consideration the contents thereof, the specific overt act being on Raj Kishore Ram and not the appellant herein together with grant of bail to the above named co-accused Manoj Ram and Santosh



Ram vide order dated 9.2.2026 and the appellant not having any criminal antecedent, the Court is inclined to allow the instant appeal.

7. The appeal is allowed and the order dated 10.9.2025 passed in Anticipatory Bail Petition no.3458 of 2025 by the learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar), Patna rejecting the prayer for anticipatory bail of the appellant is hereby set aside.

8. It is directed that the appellant above named, in the event of arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Gaurichak P.S. Case no.562 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST Act, Civil Court (Sadar), Patna.

(Partha Sarthy, J)

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