IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2838 of 2025

Arising Out of PS. Case No.-85 Year-2024 Thana- KARPI District- Jehanabad

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Guddu Kumar @ Pankaj Kumar, S/o Ramratan Singh, R/o vill - Hanshraj Bagh, P. S.- Karpi, Dist.- Jehanabad

... ... Appellant/s

Versus

1. The State of Bihar
2. Chandesh Kumar, S/o Umesh Ram, R/o vill - Khazuri Tola, Ramkishun Bigha, P.S - Karpi, Distt.- Jehanabad

... ... Respondent/s

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Appearance :

For the Appellant/s	:	Mr. S. K. Lal, Sr. Adv. Mr. Pritish Kumar Lal, Adv. Mr. Shahnwaz Khan, Adv. Mr. Akarsh Akul, Adv. Mr. Anees Ahmad, Adv.
For the O.P. No. 2.	:	Mr. Vikash Kumar Pankaj, Adv. Mr. Rishav Dev, Adv Mr. Satya Prakash, Adv.
For the State	:	Mr. Binay Krishna, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL JUDGMENT
Date : 20-08-2026

Heard the parties.

2. The instant appeal has been filed by the appellant against the order dated 23.06.2025, passed by the Court of the learned Additional District & Sessions Judge-I, Jehanabad, in Special SC/ST Case No. 63 of 2024, arising out of Karpi P.S. Case No. 85 of 2024, for the offences punishable under Sections 302, 120-B and 34 of the Indian Penal Code, under Section 27 of the Arms Act, and under Sections 3(1)(r), 3(1)(s) and 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention

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of Atrocities) Act (in short, the "SC/ST Act"), whereby and whereunder the learned Judge has dismissed the petition filed by the appellant under Section 227 of the Code of Criminal Procedure seeking his discharge from the case.

3. Mr. S. K. Lal, learned senior counsel appearing for the appellant, submits that the FIR was registered against unknown persons and that there is nothing on record to show the involvement of the appellant in the commission of the alleged offences relating to the murder as well as the offences under the SC/ST Act. There is no eyewitness to the alleged occurrence, and even the informant has not claimed to have witnessed the alleged occurrence. In fact, the Investigating Officer, who belongs to the Scheduled Caste community, falsely implicated the appellant in collusion with the informant, who also belongs to the Scheduled Caste community. During the course of investigation, no admissible evidence showing the appellant's role in the commission of the alleged murder or in the offences under the SC/ST Act came to light. It is further submitted that all these facts were not taken into consideration by the learned Trial Court while rejecting the appellant's prayer for discharge.

4. On the other hand, learned counsel appearing for respondent no. 2 submits that the instant matter relates to the

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murder of a victim who belonged to the Scheduled Caste community. After completion of the investigation, the appellant was charge-sheeted and sufficient reasons have been recorded by the learned Trial Court while rejecting the appellant's prayer for discharge. He further submits that the appellant had earlier filed Cr. Misc. No. 27923 of 2025 before this Court seeking grant of regular bail, wherein the appellant deliberately concealed the factum of cognizance of the alleged offence of the SC/ST Act.

5. Heard learned counsel for both sides and perused the FIR, the case diary pertaining to Karpi P. S. Case No. 85 of 2024 as well as the impugned order. The instant matter relates to the murder of the informant's brother. Though the FIR was registered against unknown persons but during the course of investigation, it came to light that on the alleged day of the murder, a hot altercation took place in between the deceased and the appellant at a petrol pump and the appellant used to make an extortion demand and when the demand was resisted, he threatened to teach the victim a lesson. On the very same day, the victim was murdered. Though there is no direct evidence to establish the appellant's involvement in the commission of the alleged murder, there is strong and well-founded suspicion

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against the appellant, particularly in view of the alleged threat extended by him just a few hours before the victim was murdered. In my opinion, all these facts and circumstances are sufficient to frame charges against the appellant for the alleged offences. Further, the trial of the appellant is in progress and according to learned counsel appearing for respondent no. 2, two out of the six charge-sheet witnesses have been examined. This Court finds no illegality in the impugned order and finds no merit in the present appeal. Accordingly, the appeal stands dismissed.

6. The interlocutory application(s), if any, also stands disposed of.

(Shailendra Singh, J)

Rajiv/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.08.2026
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