

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2671 of 2019

Arising Out of PS. Case No.-99 Year-2019 Thana- JAMALPUR District- Munger

1. SONU KUMAR Son of Prasadi Tanti Resident of Chhoti Daulatpur, P.S.- Jamalpur, District- Munger
2. Kundan Kumar Son of Vijay Tanti Resident of Chhoti Daulatpur, P.S.- Jamalpur, District- Munger

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 3621 of 2019

Arising Out of PS. Case No.-99 Year-2019 Thana- JAMALPUR District- Munger

SANDEEP VERMA @ SANDEEP KUMAR VARMA S/o Umesh Verma @ Umesh Prasad Verma Resident of Mohalla- Chhoti Daulatpur, P.S.- Jamalpur, District- Munger

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 2671 of 2019)

For the Appellant/s : Mr.Jyoti Ranjan Jha

For the Respondent/s : Mr.Binay Krishna

(In CRIMINAL APPEAL (SJ) No. 3621 of 2019)

For the Appellant/s : Mr.Amarnath Jha

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 05-09-2019 Heard learned counsel for the appellants and learned Spl. PP for the State.

Aforesaid appeals are under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for bail vide order dated 20.05.2019 and 01.08.2019 passed by learned Special Judge,



SC/ST Act cum A.D.J.-I, Munger in Jamalpur P.S. Case No. 99 of 2019 registered under Sections 147, 148, 149, 302, 504 and 506 of the Indian Penal Code and Sections 3(2)(va) of the SC/ST Act.

Eight named accused persons including the appellants and 3-4 unknown miscreants assaulted the son of the informant by means of lathi, rod, bat, hockey stick etc. slating him in the name of his caste inflicting severe injury to him. Son of the informant succumbed to his injury and he also divulged her about the name of the aforesaid accused persons as his assailant.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in the case due to dirty village politics. The allegation levelled against the appellants is not specific rather general and omnibus in nature. Though 12 accused persons are said to have assaulted the son of the informant by means of lathi, rod, bat, hockey stick, etc. but the deceased has sustained only two head injuries besides other four injuries on non-vital part and the head injuries proved fatal. Assailant of the said head injuries is not ascertained. It is further submitted by learned counsel appearing on behalf of appellant Sandeep Verma that the appellant Sandeep Verma happens to be



school teacher. Appellant Sandeep Verma has been languishing in custody since 12.05.2019 while appellants Sonu Kumar and Kundan Kumar have been languishing in custody since 20.05.2019. Hence they may be enlarged on bail.

On the other hand, learned Spl.PP for the State and learned counsel for the informant vehemently opposing the bail petitions submitted that all the accused persons have committed murder of the son of the informant by assaulting him by means of lathi, rod, bat, hockey stick, etc. and the victim has also disclosed the name of the appellants in the occurrence to the informant. Informant and other witnesses who happen to be eye witness of the occurrence have supported the occurrence and doctor has also found altogether six injuries on the person of the deceased. Moreover appellants Sonu Kumar and Kundan Kumar have two criminal antecedent each while appellant Sandeep Verma has one criminal antecedent. Hence they do not deserve bail.

Having regard to the facts and circumstances of the case, I am not inclined to enlarge the appellants on bail at this stage. Prayer for bail of the appellants is rejected. Accordingly aforesaid appeals are dismissed.

However the appellants may renew their prayer



for bail after framing of charge.

(Prakash Chandra Jaiswal, J)

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