

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1568 of 2021

Arising Out of PS. Case No.-261 Year-2020 Thana- KHAJANCHI HAT District- Purnia

Md. Chand Son of Late Nizam Resident of Village- New Sipahi Tola,
Maranga Road, Mata Chowk, P.S.- K. Hat, District- Purnea.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Md Fazle Karim, Advocate
For the Respondent/s	:	Mrs. Usha Kumari, SPP
For the Informant	:	Mr. Amit Kumar Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 05-08-2021 Heard the parties in virtual Court proceeding.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Purnea, in connection with Special (SC/ST) Case No.72 of 2020, arising out of K. Hat Police Station Case No.261 of 2020, registered under Sections 147/148/149/341/323/302/506 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant and some other co-accused is that for dispute arising out of non-payment of the



cost of articles purchased from the shop of the son of the informant they committed murder and hanged the body in the shop of the informant itself to give a colour of suicide.

The doctor has found a case of asphyxial death due to strangulation.

Mr. Amit Kumar Anand, learned counsel for the informant, and Mrs. Usha Kumari, learned Special Public Prosecutor, opposed the prayer for bail.

I do not find any substance in the submission of learned counsel for the appellant that in fact it was a case of suicidal death for the reason that the doctor found ligature mark around the neck which is not possible in case of hanging.

Considering the nature of allegation and material, I am not inclined to enlarge the appellant on bail. Hence, the prayer for bail is refused. The learned trial Court is directed to expedite the trial because the appellant is in custody since 18.06.2020.

Accordingly, the appeal stands rejected.

(Birendra Kumar, J)

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