

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.708 of 2020**

Arising Out of PS. Case No.-520 Year-2019 Thana- JAMUI District- Jamui

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1. JAYRAM SINGH @ JAYRAM KUMAR SINGH S/o Sri Devendra Singh,
R/o village- Lakhapur, P.S. and District- Jamui
 2. Anant Kumar Singh S/o Late Yogendra Singh R/o village- Lakhapur, P.S.
and District- Jamui

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Parmod Kumar

For the Respondent/s : Mrs.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

4 05-04-2021 Heard learned counsel for the appellants and learned
Special P.P.

The appellants filed this appeal under Section 14A(2) of the SC/ST (POA) Act against the order dated 25.01.2020 passed in A.B.P. No.1920 of 2019 by which the learned Special Judge, Jamui rejected the prayer for grant of anticipatory bail of the appellants in Jamui P.S. Case No.520 of 2019 registered under Sections 302, 34 and 120B of the I.P.C. and under Section 3 (2) V of the SC/ST Act.

The informant (brother of the deceased) alleged that on 04.10.2019 his sister left the house to attend the call of nature but she did not return. During course of search, his sister Madhu



Kumari informed that the dead body of her sister was found in the sugarcane field of Neta Singh. The informant and other villagers went there and found the dead body lying in the field. Her mobile bearing SIM No.7645013453 was also missing.

Learned counsel for the appellants submits that the appellants are not named in the F.I.R. There is no tangible evidence to show the involvement of the appellants. During course of investigation, some of the witnesses disclosed that the appellants were found near the dead body of informant's sister and when they went to the field, the appellants fled away. Nobody has seen the appellants committing murder of the deceased. The doctor has found that the deceased died due to strangulation. Therefore, the appellants deserve anticipatory bail.

Learned Special P.P., however, opposed the prayer for anticipatory bail and submitted that the appellants were found near the dead body. Her dupatta was found tied around her neck and the doctor found that the cause of death was asphyxia on account of strangulation.

Having considered the submissions and on perusal of the records, it appears that of course the appellants are not named in the F.I.R. but during course of investigation, the



witnesses have categorically stated that the appellants were found near the dead body of informant's sister and when they went to the sugarcane field, the appellants fled away. The blood was oozing from the nose of the deceased. Her dupatta was found tied around her neck and this fact shows that the deceased died due to strangulation. The doctor also found that the cause of death was asphyxia on account of strangulation.

Taking into consideration the facts aforesaid, I am not inclined to enlarge the appellants on anticipatory bail. Accordingly, the same is rejected.

The appeal is dismissed.

(Prabhat Kumar Jha, J)

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