

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1968 of 2020

Arising Out of PS. Case No.-14 Year-2020 Thana- NTPC District- Patna

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1. RAJEEV KUMAR Son of Rambalak Singh
 2. Sudhir Kumar Son of Rambalak Singh
Resident of - Panchmalla Railley, P.S. N.T.P.C., District Patna.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manoj Kumar Pandey
For the Respondent/s : Mr. Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 3 29-01-2021 Heard learned counsel for the appellants and learned
Special P.P. for the State.

The present appeal has been filed against the order dated 20.08.2020 passed by learned ADJ XXI cum Special Judge, SC/ST, Patna, in connection with NTPC (Barh) P.S. Case No. 14/2020 registered for the offences punishable under Sections 302/120(B)/34 of the Indian Penal Code and Sections 3(i)(r)(s)/3(2-va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants was rejected.

As per the prosecution case, on 04.03.2020, informant got information on her mobile phone that a person has been



taken to Sub-Divisional Hospital, Barh, from whose pocket, mobile number of his son has been found. Thereafter, she along with family members rushed to the hospital and identified her deceased husband. It is alleged that due to previous rivalry between the appellants and the husband of the informant (deceased) with regard to P.D.S. dealership, she claims that her husband has been killed by these appellants.

It is submitted on behalf of the appellants that these appellants have been falsely implicated in this case due to business rivalry as the PDS dealership of husband of the informant was cancelled on an application filed by these appellants. It is further submitted that there is no eye-witness to the occurrence and no incriminating material has come against them, save and except, suspicion.

Considering the aforesaid facts and circumstances as well as nature of allegation, the impugned order dated 20.08.2020 passed by learned ADJ XXI cum Special Judge, SC/ST, Patna, in connection with NTPC (Barh) P.S. Case No. 14/2020 is set aside and appeal is allowed.

Accordingly, let the appellants, above named, in the event of arrest or surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be



enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned ADJ XXI cum Special Judge SC/ST Act, Patna, in connection with NTPC (Barh) P.S. Case No. 14/2020.

(Prabhat Kumar Singh, J)

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