

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2002 of 2020

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

MD MUNNA aged about 30 years S/o Late Nizam R/o village- New Sipahi
Tola Maranga Road Mata Chowk, P.S.- K. Hat, District- Purnea

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant	:	Mr. Ram Prawesh Kumar, Advocate
For the informant	:	Mr. A Kr. Anand, Advocate
for the State	:	Mr. S Paswan, Spl. PP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-03-2021 Heard learned counsel for the appellant, the informant
and learned Special P.P. for the State.

The present appeal has been filed for setting aside the order dated 08-07-2020 passed by learned A.D.J.-I cum Special Judge, SC/ST Act, Purnea in K. Hat Police Station Case No. 261 of 2020, registered for the offence punishable under Section 302 and other allied sections of the Indian Penal Code and Sections 3(2)(v) of SC/ST Act, whereby the prayer for anticipatory bail of appellant was rejected.

As per the prosecution case, when the informant's son demanded the due amount from the accused persons, the FIR named accused persons including the appellant assaulted his son and after killing him hanged the body with rope in his shop.

It is submitted on behalf of appellant that some marpit



took place between two groups as a result of which informant's son committed suicide. There is general and omnibus allegation against the appellant and no specific allegation has been made by the informant. No incriminating material has been recovered from the conscious possession of the appellant. Appellant has got no criminal antecedent as stated in paragraph 3 of the appeal.

However, learned Special P.P. and the informant opposed the appeal and submitted that appellant is named in the FIR along with other accused persons with specific allegation that when the informant's son demanded the due amount from the accused persons, they assaulted his son and after killing him hanged the body with rope in his shop.

Considering the nature and gravity of the allegation, I do not find any ground to interfere with the order of the learned court below and as such, the appeal, which has been filed for grant of anticipatory bail, is hereby rejected with direction to surrender and seek regular bail.

(Prabhat Kumar Singh, J)

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