

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4241 of 2021

Arising Out of PS. Case No.-99 Year-2021 Thana- ALOULI District- Khagaria

Rambalak Verma @ Kanhaiya Verma, Son of Rambahadur Verma, Resident of Village Chhoti Simraha, P.S. Alauli, District Khagaria.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. S.D. Sanjay, Senior Advocate Mr. Santosh Kumar Singh, Advocate
For the State	:	Mr. Binay Krishna, Special P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 21-12-2021 Heard Mr. S.D. Sanjay, learned Senior Counsel assisted by Mr. Santosh Kumar Singh, learned counsel for the appellant and learned Special P.P. for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as ‘the SC/ST Act’) against the refusal of prayer of bail vide order dated 16.09.2021, passed by learned Additional Session Judge 1st cum-Special Judge, S.C./S.T. Act, Khagaria in connection with Alauli P.S. Case No.99 of 2021, registered under Sections 328, 302, 34 of the Indian Penal Code and 3(2), (v) of the SC/ST Act.

The appellant and other co-accused persons are said to have killed the father of the informant by administering poison.



The appellant is also alleged to have abused the father of the informant on phone by naming his caste.

Learned Senior Counsel for the appellant submits that the appellant has falsely been implicated in the present case. It is further submitted that in the postmortem report the cause of death is mentioned as neorogenic shock resulting cardiac respiratory failure. It is further submitted that no case is made out under the provisions of SC/ST Act because there is no allegation against the appellant to abuse the father of the informant by naming his caste in public view rather the allegation is that the appellant abused the father of the informant by naming his caste on phone but no phone number is given to the police. It is also submitted that the appellant is in custody since 17.08.2021.

Learned Special P.P. for the State opposed the prayer for bail of the appellant.

Considering the facts and circumstances of the case, no notice is required to be issued to the informant.

Having considered the facts aforesaid, let appellant, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional



Session Judge 1st cum-Special Judge, S.C./S.T. Act, Khagaria in
connection with Alauli P.S. Case No.99 of 2021.

Accordingly, the impugned order is set aside and this
appeal is allowed.

(Anjani Kumar Sharan, J.)

Sanjay/-

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