

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1072 of 2022**

Arising Out of PS. Case No.-422 Year-2020 Thana- TEKARI District- Gaya

BUTANI SINGH @ AMRENDRA SHARMA S/o Abadhesh Sharma Resident
of Village- Jamuara, P.S.- Tekari, District- Gaya.

... .. Appellant/s

Versus

1. The State of Bihar
2. BIGNI DEVI W/o Late Mantu Manjhi Resident of Village- Jamuara, Police
Station- Tekari, District- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Gajendra Kumar Singh
For the Respondent/s : Mr.Binay Krishna

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

3 21-09-2022 Heard learned counsel for the parties.

The present appeal has been filed against order dated 17.02.2022 passed by learned Exclusive Special Judge, SC/ST, Gaya in Tekari P.S. Case No. 422 of 2020 registered for the offence punishable under Sections 302, 307, 34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(1)(r)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as SC/ST Act), whereby the prayer for anticipatory bail of appellant was rejected.

In the F.I.R., the informant alleges that while she was sleeping with her husband (deceased) in night, then suddenly some persons came there and out of whom, two persons tied



legs of her husband and one person fired from his pistol, which hit on head and wrist of left hand of informant's husband, due to which, he died on spot. The informant further alleges that when she raised alarm, her father-in-law and other villagers came, accused persons started fleeing away and in the torch light, she identified this appellant.

It is submitted on behalf of appellant that appellant and informant are co-villagers and due to dirty village politics, appellant has been made accused. The allegation is general and omnibus against all the accused persons including this appellant.

However, learned Special P.P. vehemently opposes the prayer for anticipatory bail and submits that this appellant was identified by the informant, while he was fleeing away from the place of occurrence.

Considering the aforesaid facts and circumstances, this Court does not find any error in the order impugned and as such, this appeal, which has been filed for grant of anticipatory bail to the appellant, is rejected.

(Prabhat Kumar Singh, J)

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