

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3054 of 2021**

Arising Out of PS. Case No.-87 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

SURESH RAM S/o Munni Ram R/o village- Harpur Bakhari, P.S.- Ahiyapur,
District- Muzaffarpur. Appellant.

Versus

1. The State of Bihar
2. Raju Paswan S/o Late Mangal Paswan Village- Barajagarnath, P.S.-
Ahiyapur, Distt.- Muzaffarpur Respondents.

Appearance :

For the Appellant/s	:	Mr. Sanjay Parasmani
For the Respondent/s	:	Mr. Sadanand Paswan
For the Informant	:	Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 28-01-2022 Heard learned counsel for the appellant, learned
counsel for the informant and learned Special Public Prosecutor
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 in short referred to as the
'SC/ST Act') against the refusal of prayer for bail vide order
dated 16.04.2021 passed by learned Additional Sessions Judge-
III-cum Special Judge (SC/ST Act), Muzaffarpur in connection
with Ahiyapur P.S. Case No. 87 of 2021 registered under
Sections 302 & 201/34 of the Indian Penal Code and Section
3(1) (r) (s)/3 (2) (v) of the Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Act.



The son and Bhagina of the informant are said to have been killed by the appellant in association of other co-accused.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case due to dirty village politics and on suspicion. The allegation levelled against the appellant is not specific rather general and omnibus in nature. On Court's query, it is submitted that charge has not been framed as yet. It is also submitted that similarly situated co-accused has been granted bail by co-ordinate Bench of this Court. Appellant has been languishing in custody since 18.03.2021.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, I am not inclined to enlarge the appellant on bail. The prayer for bail is hereby rejected. However, the appellant would be at liberty to renew his prayer after framing of charge.

Accordingly, this appeal is dismissed.

(Anjani Kumar Sharan, J)

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