

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2246 of 2022**

Arising Out of PS. Case No.-161 Year-2021 Thana- RIGA District- Sitamarhi

-
1. TAUKIR ALAM @ SONA RAKI SON OF EJAJ BABU RAKI R/O VILLAGE- BHAVDEPUR, P.S.- RIGA, DISTRICT- SITAMARHI
 2. NASIM AHMAD @ BHUTKUN RAKI SON OF NEYAZ BABU R/O VILLAGE- BHAVDEPUR, P.S.- RIGA, DISTRICT- SITAMARHI

... .. Appellant/s

Versus

1. The State of Bihar
2. SHAIL DEVI WIFE OF LATE RAUSHAN RAI R/O VILLAGE- BHAVDEPUR GOT WARD NO.- 13, P.S.- RIGA, DISTRICT- SITAMARHI

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Alok Kumar Jha
For the Respondent/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 26-09-2022 Learned counsel for the appellants is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the appellants, learned Spl. P.P. for the State and the learned counsel for the informant.

This appeal has been preferred on behalf of the appellant under Section 14-A (2) of the SC & ST (Prevention of Atrocities) Act for setting aside the order dated 07.06.2022 in connection with Riga P.S. Case No. 161 of 2021, registered for the offences punishable under Section 302/34 of the Indian



Penal Code and Sections 3(2) (v) of SC and ST (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellants has been rejected.

The informant Shail Devi is the wife of the deceased Raushan Rai, aged about 30 years. As per allegation, the husband of the informant who was a labourer in leather factory of appellants, went to demand his dues of wages. They committed his murder by assaulting him.

Learned counsel for the appellants has submitted that the they are innocent and have falsely been implicated in this case. The deceased was a labourer in the leather factory of the appellants. As a matter of fact, he died in an accident and the appellants have falsely been implicated at the behest of some anti-social elements. He has submitted further that no apparent noticeable injury in the post mortem report was found. He has also submitted that there is no eye-witness of the alleged occurrence and not a single eye-witness has been examined.

There is allegation against the appellants to assault the deceased resulting in his death. One contusion has been found on the forehead of the deceased in the post mortem report.

Learned counsel for the informant and learned Special P.P. for the State have opposed the prayer for anticipatory bail.



The witnesses have supported the occurrence in paragraph nos. 7, 8, 9 and 10 of the case diary.

In my view, it is not a fit case for anticipatory bail. The prayer for anticipatory bail on behalf of the appellants is hereby rejected.

Office shall ensure that all the defects are removed by the appellants within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

HR/-

U		T	
---	--	---	--

