

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3791 of 2021**

Arising Out of PS. Case No.-265 Year-2020 Thana- BIRPUR District- Supaul

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Ram Chandra Mehta Son Of Late Fudan Mehta Resident Of Mohalla- Rani
Patti, Ward No. 01, P.S.- Birpur, District- Supaul

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Amrit Abhijat

For the Respondent/s : Mr.Sadanand Paswan

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

5 24-08-2022 Heard learned counsel appearing on behalf of the

appellant and the State.

This is an appeal filed under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Patna Atrocities) Act, (hereinafter in short referred to as the ‘SC/ST Act’) against the order dated 08.04.2021 passed by learned Additional Sessions Judge-I-cum-Special Judge, Supaul in connection with Birpur P.S. Case No. 265 of 2020, registered under Sections 302/34 of the Indian Penal Code, section 27 of the Arms Act and sections 3(i)(r)(s), 3(2)(va) of the SC/ST Act, whereby the prayer for anticipatory bail of appellant has been rejected.

As per the prosecution case, all the accused persons including this appellant carrying pistol in the their hands shot



dead the husband of informant.

It is submitted that appellant has falsely been implicated in this case. It is next submitted that by mistake the name of this appellant has been included in the FIR. As a matter of fact, two persons by name of Ram Chandra Mehta has been included and during investigation, the informant has filed an affidavit stating therein that this appellant has got no role in the murder of her husband (deceased).

However, learned Spl. P.P. vehemently opposed the prayer and submitted that there is direct and specific allegation against this appellant that he along with co-accused persons committed murder of the husband of informant.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the appellant on anticipatory bail.

Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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