

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4014 of 2021

Arising Out of PS. Case No.-82 Year-2021 Thana- SAHAR District- Bhojpur

SATYA NARAYAN TIWARI S/o MANOJ TIWARI, R/o VILLAGE-
GRAMGANJ, P.S-UDWANT NAGAR, DISTRICT-BHOJPUR.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR.
2. Lalan Ram Son of Late Rajeshwar Ram, Resident of village Derhgaon, P.S.-
Dawath Dist- Rohtas. Respondent/s

Appearance :

For the Appellant/s : Mr.Anil Kumar
For the Respondent/s : Ms.Usha Kumari 1

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

ORAL ORDER

3 08-08-2022 The learned counsel for the appellant is directed to
remove all the defects pointed out by the office within one month.

Heard learned counsel for the appellant as well as the
learned Special Public Prosecutor for the State.

This appeal has been preferred on behalf of the
appellant under Section 14 (A) (2) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act, 1989 for setting
aside the order dated 24.08.2021 passed by the learned Additional
Sessions Judge-I, Bhojpur at Ara in ABP no. 1797 of 2021, arising
out of Sahar P.S. Case No. 82 of 2021 registered for offence
punishable under sections 302/201/34 of the Indian Penal Code
and sections 3 (2) (v) of the SC/ST (POA) Act, whereby the prayer
for anticipatory bail of the appellant has been rejected.

As per allegation, the informant got an information that



his nephew died and *post mortem* was done. He came to know that it was not an accidental death, rather it was murder. It has also been alleged that prior to the occurrence there was a quarrel between the deceased and the appellant.

The learned counsel for the appellant has submitted that a number of witnesses stated that it was an accidental death.

In reply, the learned counsel for the informant has stated that there was a distance between the vehicle alleged and the dead body is one kilometre, which shows that it was not an accidental death.

The investigation is continuing, as such, it is not a fit case for anticipatory bail. Accordingly, the prayer for anticipatory bail is rejected.

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

(Nawneet Kumar Pandey, J)

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