

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4413 of 2021

Arising Out of PS. Case No.-113 Year-2021 Thana- HASANPUR District- Samastipur

RANJIT KUMAR Son of Shiv Shankar Yadav Resident of Village -
Chandauli, Ward no.12, P.s.- Bithan Bazar, Distt.- Samastipur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Chandra Shekhar Ram Late Aasharfi Ram R/o Village- Dhaboliya, ward no.-
1, P.S.- Hasanpur, Dist.- Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Dilip Kumar Roy
For the Respondent/s	:	Mr.Binay Krishna
		Mr.Bijay Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 31-03-2022 Heard learned counsel for the appellant, learned counsel
for the informant and learned Spl.P.P. 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 15.09.2021 passed by learned 1st Additional Sessions Judge -cum- Special Judge (SC/ST) Act, Samastipur, in connection with Hasanpur P.S. Case No.113 of 2021, registered under sections 120(B), 302/34 of the IPC and sections 3(1) (r) (s), 3(2) (va) of SC and ST (Prevention of Atrocities) Act.

Allegedly, the son of the informant has been brutally murdered by the named accused persons and his deadbody was



thrown near the pond.

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. Appellant is not named in the F.I.R. and on the confessional statement of the co-accused, his name transpired in this case. The allegation levelled against the appellant is not specific rather general and omnibus in nature. The appellant has no criminal antecedent and has been languishing in custody since 14.06.2021.

Learned Spl. PP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that during investigation, it was found that the appellant was also involved in the present case, as such, he was made an accused in this case. This fact is also based on the CDR.

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

The appeal is accordingly dismissed.

(Anjani Kumar Sharan, J)

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