

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4527 of 2021

Arising Out of PS. Case No.-118 Year-2021 Thana- PIPRA District- Supaul

-
1. CHANDRA BHUSHAN MANDAL Son of Late Ramnandan Mandal
Resident of Mahichanda, P.S.- Pipra, District- Supaul
 2. JAY KISHAN MANDAL Son of Jagdish Mandal Resident of Mahichanda,
P.S.- Pipra, District- Supaul

... .. Appellants.

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Pramod Mishra
For the State	:	Mr. Binay Krishna
For the Informant	:	Mrs. Asha Devi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-03-2022 Heard learned counsel for the appellants, learned
counsel for the informant and learned Special Public Prosecutor
for the State.

Learned counsel for the appellants undertakes to
remove the defects within four weeks of resumption of normal
court proceeding. In the eventuality of non-removal of defects
within undertaken period, the office will place the matter before
the Bench.

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 of bail vide order



dated 14.04.2021 passed by learned 1st Additional Sessions Judge cum Special Judge (SC/ST Act), Supaul in connection with Pipra P.S. Case No. 118 of 2021 registered under Section 302/34 of the Indian Penal Code and Section 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The accusation against the appellants is that they in association of other co-accused shot dead the husband of the informant.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. Appellants have been falsely implicated in the case due to dirty village politics. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. Slating the informant in the name of caste is said to have been made at the house of the appellant and not in public view, hence no offence under SC/ST Act is made out against the appellants. Appellants have no criminal antecedent. Appellants have been languishing in custody since 02.08.2021.

Learned counsel for the informant and learned Special Public Prosecutor for the State opposed the prayer for bail.



In the facts and circumstances of the case, I am not inclined to enlarge the appellants on bail. The prayer for bail is hereby rejected.

Accordingly, this appeal is dismissed.

However, the appellants would be at liberty to renew their prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

Trivedi/-

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

