

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4575 of 2021

Arising Out of PS. Case No.-266 Year-2020 Thana- SONBERSA District- Sitamarhi

Ram Pragas Rai Son of Late Ram Bhajan Rai Resident of Village - Mayurba,
P.S.- Sonbarsa, District - Sitamarhi.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Birendra Kumar
For the Respondent/s	:	Mr. Sadanand Paswan
		Mr. Hans Lal Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 25-04-2022 Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as 'the SC/ST Act') against the refusal of prayer of bail vide order dated 29.09.2021, passed by learned Additional District and Sessions Judge-1st-cum-Special Judge (SC/ST Act), Sitamarhi in connection with Sonbarsa P.S. Case No.266 of 2020, registered under Sections 147, 148, 149, 342, 323, 307, 302 and 324 of the Indian Penal Code and Sections 3 (2)(V) of the SC/ST (POA) Act.

Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. The appellant is not named in the FIR. Name of



the appellant surfaced in the case during investigation. It is further submitted that there is no eye witness of the occurrence and only on suspicion, the appellant has been made accused. It is also submitted that the appellant is in custody since 13.08.2021.

Learned Special P.P. for the State as well as learned counsel for the informant opposed the prayer for bail of the appellant and submitted that two persons have been killed by the accused persons. It is further submitted that one of the deceased was handicapped. Charge has not been framed against the appellant till date.

Having considered the facts aforesaid, I am not inclined to enlarge the appellant on bail. Accordingly, the prayer for bail of the appellant is rejected.

However, the appellant may renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J.)

Sanjay/-

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

