

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4670 of 2021

Arising Out of PS. Case No.-348 Year-2021 Thana- MASAUDHI District- Patna

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Ramji Singh S/o Nawal Singh R/o Village- Basaur, P.S.- Bhagwanganj,
Didstrict- Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. Raj Kishor Das S/o Bechan Das Resident of Village- Dhanauti, P.s.-
Masaurhi, District- Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr. Satish Chandra, Adv.
For the Respondent/s	:	Mr. Binay Krishna, Spl. PP
For Respondent no. 2	:	Mr. Neeraj Kr. Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 21-04-2022 Heard learned senior counsel for the appellant, respondent
no. 2 and learned Special Public Prosecutor for the State.

This is an appeal under section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for bail vide order dated 28.10.2021, passed by learned Additional District and Sessions Judge-III-cum-Special Judge SC/ST Act, Patna in connection with Special Case No. 193 of 2021 arising out of Masaurhi P.S. Case No. 348 of 2021, registered under Sections 302/34 of the IPC and Sections 3(2) (v) of SC/ST Act.

Appellant is said to have assaulted the son of the informant by means of iron rod upon his head and also committed murder by strangulation.



It is submitted by learned counsel for the appellant that the appellant is innocent and has been falsely implicated in this case due to village politics and ulterior motives. He submits that there is no eye witness and only on suspicion, appellant has been made accused in this case. He submits that there is general and omnibus allegation levelled against the appellant. He submits that no case is made out under the provision of SC/ST Act against the appellant. He further submits that appellant has no criminal antecedent as stated in para-3 of this appeal.

Learned Spl. PP for the State and respondent no. 2 oppose the prayer for bail and submit that there is specific overt act against the appellant.

Considering the facts and circumstances of the case, I am not inclined to enlarge the appellant on bail. Accordingly, his prayer for bail is rejected in connection with Special Case No. 193 of 2021 arising out of Masaurhi P.S. Case No. 348 of 2021.

Accordingly, this appeal is dismissed. However, appellant is at liberty to renew his prayer for bail after framing of charge.

(Anjani Kumar Sharan, J)

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