

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.866 of 2023**

Arising Out of PS. Case No.-284 Year-2022 Thana- HATHAURI District- Muzaffarpur

RAHUL KUMAR SON OF SULTAN SAHNI @ RANGI SAHNI R/O
VILLAGE- TARA JIWAR, P.S.- HATHAURI, DISTRICT- MUZAFFARPUR
PIN NO.843129

... .. Appellant/s

Versus

1. The State of Bihar BIHAR
2. RAJKUMARI DEVI WIFE OF LATE CHANDESHWAR RAM R/O
VILLAGE- PARAMJIWAR, WARD NO.9, P.S.- HATHAURI, DISTRICT-
MUZAFFARPUR

... .. Respondent/s

Appearance :

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

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 22-06-2023 Heard learned counsel for the appellant, learned counsel
for the informant and learned Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 18.01.2023 passed by learned Additional District & Sessions Judge-I-cum-Special Court of SC/ST Act, Muzaffarpur in Hathauri P.S. Case No. 284 of 2022 whereby the prayer for bail of the appellant registered under Section 302/34 of the Indian Penal Code and sections 3(i)(r)(s) of SC/ST Act was rejected.

As per allegation in the FIR, six accused persons from two pulsar bike reached at the place of occurrence and demanded Rs. 500/- as extortion money to fill petrol. On refusal made by him, two accused caught hold his hand and appellant stabbed knife in his stomach and other parts as a result of which Bablu Kumar,



informant's son died on spot.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. No one is eye witness of the alleged occurrence. Appellant has no concern with the alleged occurrence. No offence is made out under the provisions of the SC/ST Act against him. He has got no criminal antecedent and languishing in judicial custody since 3.11.2022.

The appeal for bail is opposed by learned Spl. P.P. for the State and learned counsel for the informant and submitted that during investigation, several witnesses have supported the prosecution case. Postmortem report also corroborates the prosecution case and death was caused due to sharp cut weapon.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, I do not find it appropriate to grant bail to the appellant and, as such, his prayer for bail stands rejected.

The appeal stands disposed off.

The trial court is directed to expedite and conclude the trial.

(Sunil Kumar Panwar, J)

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