

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.906 of 2022**

Arising Out of PS. Case No.-45 Year-2020 Thana- KHARHAGPUR District- Munger

JITENDRA KUMAR @ JITTU RAJAK S/o Okil Rajak R/o village- Gaura,
P.S.- Shampur (Haveli Khargpur), District- Munger

... .. Appellant

Versus

1. The State of Bihar
2. Bablu Chaudhary S/o Late Sumrit Choudhary R/o village- Gaura, P.S.-
Shampur (Haveli Kharagpur), District- Munger

... .. Respondents

Appearance :

For the Appellant/s	:	Mr.Raj Kumar Choudhary, Advocate
For the Respondent/s	:	Mr.Binay Krishna, Spl.PP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

7 17-05-2023 Heard learned counsel for the appellant and Mr. Binay
Krishna, learned Special Public Prosecutor for the State.

The appellant has renewed his prayer for setting aside the order dated 04.06.2021 passed by learned Special Judge (SC/ST Act)-cum-A.D.J. - 1st, Munger in connection with Shampur (O.P.) (Haveli Kharagpur) P.S. Case No. 45/2020 registered for the offence under Sections 302, 201/34 of the Indian Penal code and 3(2)(R) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. The appellant has one criminal antecedent as stated in paragraph '3' of the application.

Earlier this identical prayer of the appellant was rejected by this Court vide order dated 21.10.2021 passed in Cr.



Appeal (SJ) No. 3463 of 2021. No liberty was reserved for the appellant to renew his prayer against the same order which this Court had refused to interfere with.

In the aforementioned circumstances, this appeal is being disposed of with liberty to the appellant to apply for bail, if so advised, afresh before the learned court below, which will be considered by the learned court below on it's own merit without being prejudiced by the earlier rejection by this Court.

This appeal stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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