

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1492 of 2023

Arising Out of PS. Case No.-341 Year-2022 Thana- KHODAWANDPUR District- Begusarai

PINTU SINGH @ PINTU KUMAR @ SANJAY KUMAR SINGH SON OF
LATE FULO SINGH @ LATE FULAN PRASAD SINGH R/O VILLAGE-
NAYANAGAR, P.S.- HASANPUR, DISTRICT- SAMASTIPUR

... .. Appellant/s

Versus

1. The State of Bihar
2. FUL KUMAR PASWAN SON OF LATE PRASADI PASWAN R/O
VILLAGE- PURPATHAR, P.S.- KHODAWANDPUR, CHHAURAH O.P.,
DISTRICT- BEGUSARAI

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Saket Kumar, Adv.
For the Respondent/s : Mr.Sadanand Paswan, Spl.PP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 3 17-05-2023 Heard learned counsel for the appellant 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, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer of anticipatory bail vide order dated 21.01.2023 passed by learned Special Judge (SC/ST Act), Begusarai in connection with Khodawandpur (Chhaurahi O.P.) P.S. Case No. 341 of 2022 registered under Sections 147, 149, 364, 376 D, 302, 201 of the Indian Penal Code and Section 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



Allegedly, appellant along with other accused persons, is said to have committed murder of the informant's wife after outraging her modesty.

It is submitted by learned counsel for the appellant that appellant is quite innocent and has committed no offence. No such occurrence as alleged ever took place. It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case due to dirty village politics. The allegation levelled against the appellants is not specific rather general and omnibus in nature. It is further submitted that from the postmortem report, it is evident that the deceased died due to Neurogenic and Hemorrhagic shock. In the course of investigation, no evidence has been found against the appellant, therefore, the police has not named him in the application filed for proclamation under Section 82 of Cr.P.C. Appellant has one criminal antecedent.

Learned Spl. PP for the State opposed the prayer for bail and submitted that there is serious allegation of rape and murder against the appellant, hence he does not deserve bail.

Considering the facts and circumstances of the case as well as nature of the offence, I am not inclined to enlarge the



appellant on bail. The prayer for bail is hereby rejected.

Accordingly, this appeal is dismissed.

(Anjani Kumar Sharan, J)

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