

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2187 of 2023

Arising Out of PS. Case No.-222 Year-2022 Thana- RUPAULI District- Purnia

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1. Gangaram Singh @ Gangaram Mandal Son Of Boudhi Singh @ Bodhi Mandal R/O Jungle Tolas, Bhouwa Parbal, P.S. - Rupauli Mohanpur O.P., Distt. - Purnea
 2. Dhananjay Singh Son Of Late Vokil Singh @ Wakil Singh R/O Anjhri, P.S. - Rupauli Mohanpur O.P., Distt. - Purnea

... .. Appellant/s

Versus

1. The State of Bihar
2. Duliya Devi Wife of Late Prithvi Sharma R/o Jungle Tola, Bhouwa Parbal, P.S. - Rupauli Mohanpur O.P., Distt. - Purnea

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rajnish Kumar Singh
For the State	:	Mr. Binay Krishna
For the Respondent	:	Mr. Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 18-10-2023 Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and learned counsel for the respondent no. 2.

2. 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 13.04.2023 passed by learned Special Judge, SC/ST Act, Purnea, in connection with Rupauli Mohanpur O.P. P.S. Case No. 222 of 2022 registered under Sections 302, 201,



342, 506, 427 of the Indian Penal Code and Section 3(2)(v-a) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. As per the prosecution case, the informant alleged that appellants have killed her son in the manner like tractor accident.

4. Learned counsel for the appellants submits that the appellants have no concern with the aforesaid occurrence. He submits that there is no eye-witness in the present case and only on the basis of suspicion appellants are made accused in the present case. He further submits that the mother of petitioner no. 2 is the owner of the said tractor and the deceased was driver of the said tractor. Appellants have got no antecedent as mentioned in para-3 of memo of the appeal.

5. Learned Spl. PP for the State and learned counsel for the respondent no. 2 opposed the payer for bail and submitted that from perusal of postmortem report, it appears that the cause of death is due to physical assault.

6. Considering the facts and circumstances of the case and the nature of the offence, I am not inclined to enlarge the appellants on anticipatory bail. The prayer for anticipatory bail of the appellants is hereby rejected.



7. However, if the appellants surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

anand/-

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