

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2326 of 2022

Arising Out of PS. Case No.-743 Year-2021 Thana- KHAJANCHI HAT District- Purnia

PINTU DAS S/o Late Shashi Mohan Das R/o Village- Purana Tola, Lalganj
Near Shitala Mandir Lalganj, P.S.- K.Hat (Maranga), Distt.- Purnia

... .. Appellant/s

Versus

1. The State of Bihar
2. Yogendra Rishi S/o Late Bhubneshwar Rishi Resident of Lalganj Mushhari Tola, Ward No. 3, P.S.- K.Hat (Maranga), Distt.- Purnia

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Kumar Praveen

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 10-05-2023 Heard learned counsel for the appellant, the State and the respondent no.2.

This appeal has been filed for setting aside order dated passed in a case registered for the offence punishable under sections 302, 201/34 of the Indian Penal Code and sections 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby the prayer for anticipatory bail of the appellant has been rejected.

As per the prosecution case, appellant and other accused persons took the son of the informant with them and after committing marpit strangulated him with rope and concealed the dead body in the field.

Learned counsel appearing for the appellant submits that the informant is not the eye witness of the occurrence and testimony of so called witness is unreliable as he has not disclosed the source of identification. Appellant claims clean



antecedent.

Counsel for the State and the respondent no.2 oppose the prayer for bail. They submit that the priest of Kali Mandir Deepan Rishi and Rooplal Rishi have seen the occurrence of murder. Thereafter, informant went to the alleged place as disclosed by them and found the dead body of his son having injury marks on the back portion of his head and strangulation by rope on his neck.

Considering the aforesaid facts, I do not find any reason to interfere with the impugned order.

This appeal, seeking pre-arrest bail, is accordingly dismissed.

(Prabhat Kumar Singh, J)

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