

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3061 of 2022

Arising Out of PS. Case No.-186 Year-2021 Thana- SHYAMPUR BHATHA District-
Sheohar

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1. Madan Kishor Sah, S/o Sukhari Sah, R/o village- Mahammadpur Katsari,
P.S.- Shyampur Bhatha, District- Sheohar
 2. Awadh Kishor Sah, S/o Sukhari Sah, R/o village- Mahammadpur Katsari,
P.S.- Shyampur Bhatha, District- Sheohar

... .. Appellant/s

Versus

1. The State of Bihar
2. Kishori Ram, S/o Late Gobardhan Ram, R/o village- Mahammadpur Katsari,
P.S.- Shyampur Bhatha, District- Sheohar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pushpendra Kumar Singh, Advocate
For the Respondent/s : Ms.Usha Kumari 1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-04-2023 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

The present memo of appeal has been filed on behalf of the appellants for grant of anticipatory bail against the order dated 14.07.2022 passed by learned Additional Sessions Judge-1-cum-Special Judge, Sheohar in connection with Shyampur Bhatha P.S. Case No 186 of 2021 under Sections 302 and 120(B)/34 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby the prayer for anticipatory bail of the appellants was rejected.



As per the prosecution case, on the alleged date and time of occurrence the appellants took the son of the informant from his house and when the son of the informant did not come back till late hours then thereafter informant went at the house of the appellants and enquire about his son but he could not get the answer. It is further alleged that the dead body of the son of informant was found in bamboo orchard situated in south-west Sareh. It is also alleged that informant suspects that this appellants along with other accused persons killed the son of the informant.

It is submitted on behalf of the appellant that prior to alleged occurrence the appellants had lodged a case against the informant and others bearing Shyampur Bhatha P.S. Case No. 186 of 2021 dated 28.11.2021 and as such there was no such occasion to visit the house of the informant and cause such incidents. The appellants have got no criminal antecedent.

However, learned counsel for the informant vehemently opposed the prayer for bail and submitted that it was the appellants who called the son of informant and later on the dead body of son of the informant was found in the bamboo orchard situated in south-west Sareh.

Considering the facts aforesaid, I am not inclined to



enlarge the appellants above-named on anticipatory bail.
Accordingly, their prayer for bail is rejected.

This appeal is accordingly dismissed.

(Prabhat Kumar Singh, J)

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