

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3843 of 2022

Arising Out of PS. Case No.-93 Year-2022 Thana- DHANAHA District- West Champaran

HARIDWAR CHAUDHARY SON OF LATE TAPESHWAR CHAUDHARY
R/O VILLAGE- DAHWA, P.S.- DHANAHA, DISTRICT- WEST
CHAMPARAN

... .. Appellant/s

Versus

1. The State of Bihar
2. VANSHRAJ GOND SON OF LATE TEKMAN GOND R/O VILLAGE-
DAHWA, P.S.- DHANAHA, DISTRICT- WEST CHAMPARAN

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Umesh Chandra Verma
For the Respondent/s	:	Mr.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 21-03-2023 Learned counsel for the appellant is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the appellant as well as

learned counsel for the informant.

This appeal has been preferred on behalf of the

appellant under Section 14-A(2) of the Scheduled Castes and

Scheduled Tribes (Prevention of Atrocities) Act for setting aside

the order dated 24.06.2022 modified on 29.08.2022 passed by

the learned 1st Additional Sessions Judge-cum-the Special Judge,

under S.C. & S.T. Act, West Champaran at Bettiah in A.B.P. No.

2971 of 2022 arising out of Dhanaha P.S. Case No. 93 of 2022,



registered for the offences punishable under Sections 147, 149, 341, 323, 302, 120(B) of the Indian Penal Code (For brevity, IPC) & Section 3(1)(r)(s) and 3(2) (v) of SC and ST (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of the appellants has been rejected.

As per allegation, the accused persons, including the appellant, came to the house of the informant and inflicted a bamboo blow on the head of Suresh Gond, the son of the informant. He became seriously injured and died during course of treatment.

The learned counsel for the appellant has submitted that he is innocent and has falsely been implicated in this case. The allegation against the appellant is that he gave solitary blow on the head of deceased, which shows that he had no intention to kill the deceased.

On the other hand, the learned counsel for the informant has opposed the prayer for bail and submitted that the appellant is direct assailant and the witnesses have supported the prosecution case.

In my view, the appellant does not deserve the privileges of bail, which is hereby rejected.

Office shall ensure that all defects are removed by the



appellant within the stipulated time provided hereinabove,
failing which the matter shall be brought to the notice of this
Court.

(Nawneet Kumar Pandey, J)

kundan/nirmal

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