

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL APPEAL (SJ) No.3875 of 2022

Arising Out of PS. Case No.-195 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

JAYRAM MANDAL Son of Late Bhukhal Mandal @ Bukhan Mandal R/v-
Bhawanipur Desri (Fatehpur), P.S.- Jagdishpur, District- Bhagalpur

... .. Appellant/s

Versus

1. The State of Bihar.

2. Manjula Devi, wife of Naresh Das, resident of village Bhawanipur, P.S.

Jagdishpur, District Bhagalpur.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rakesh Kumar Sinha

For the Respondent/s : Mrs. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 02-03-2023 Heard learned counsel for the appellant and learned

Special Public Prosecutor for the State assisted by learned

counsel for the informant.

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 14.09.2022 passed by learned 3rd Additional
Sessions Judge cum Special Judge (SC/ST Act), Bhagalpur in
connection with Jagdispur P.S. Case No. 195 of 2022 registered
under Sections 302 & 120B of the Indian Penal Code and
Section 3(1) 3(2)/r (s) (va) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.

The allegation against this appellant is that he in
association of other co-accused is said to have killed the son of
the informant by inserting wooden stick in his mouth.



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 of assault levelled against the appellants is not specific rather general and omnibus in nature. It is further submitted that informant herself has admitted that after postmortem and cremation she informed to the police station regarding the alleged occurrence. It is also submitted that there is murmuring in the locality that boy had fallen down from the tree and got serious injury. Appellant has no criminal antecedent.

Learned Spl. PP for the State assisted by learned counsel for the informant vehemently opposing the prayer for bail submitted that as there is ample evidence against the appellant as also considering the seriousness of the allegation, the appellant does not deserve anticipatory bail.

In the facts and circumstances of the case, 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)

Trivedi/-

U		T	
---	--	---	--

