

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.511 of 2024

Arising Out of PS. Case No.-39 Year-2023 Thana- SC/ST District- Munger

=====

Raja Ranjeet Singh S/O Late Kamal Kishore Tanti R/O CHHOTI
KESHOPUR NALAPAR, PS- JAMALPUR, DIST. MUNGER.

... .. Appellant/s

Versus

1. The State of Bihar
2. MAMTA KUMARI W/O LATE SUNIL KUMAR DAS R/O ABHAIPUR,
PS. PIRI BAZAR, DIST. LAKHISARAI.

... .. Respondent/s

=====

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Jha, Adv.
For the Respondent/s	:	Mr. Binay Krishna, Spl P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 09-09-2024 Heard learned counsel for the appellant, learned Special
P.P. for the State and learned counsel appearing on behalf of the
respondent No.2.

2. The appellant has challenged the order dated
20.12.2023 passed by the learned Additional Session Judge Ist-cum-
Special Judge SC/ST Act, Munger, in connection with SC/ST P.S.
Case No. 39 of 2023, instituted for the offences under Sections 302,
380, 120(B) of IPC and 3(2)(V) of the Scheduled Castes &
Scheduled Tribes (Prevention of Atrocities) Act, whereby his prayer
for grant of anticipatory bail has been rejected.

3. The learned special P.P. submits that Investigating
Officer of the case in compliance of the Order dated 5.9.2024 is
present in the Court. It is further submitted that Investigating



Officer of the case was called for clarifying the issue whether dead body of the deceased was recovered from the hotel room which was locked inside or not. The Investigating Officer of the case, who is present in the Court submits that the dead body of the deceased was recovered from a room of a hotel, he submits that an information was received by the police that the death was occurred in the hotel based on which the police reached the place of occurrence, that is the hotel and saw the dead body of the deceased from the window and accordingly the door of the room was broken and the dead body was recovered. On query of the Court that how the dead body was marked injuries on which the Investigating Officer submits that it appears that he fell from the bed. The Investigating Officer also submits that he has a copy of the pen-drive and he has viewed the same and after viewing it, he came to a considered conclusion that this appellant was not seen around the vicinity of the hotel.

4. Learned counsel appearing on behalf of the informant opposes the anticipatory bail application and submits that the deceased was having mark of injuries which is not possible to be caused by fall from the bed. It is also submitted that during the course of investigation, it transpired based on investigation of the CDR that the location of the appellant, if not close, was not also very far away from the place of occurrence, but then he is not in a



position to rebut the submission of learned A.P.P. and the Investigating Officer that dead body of the deceased was recovered from a room of a hotel which was locked from inside and the police had to break the door for recovering the body.

5. In the nature of submission made by the investigating officer and the learned A.P.P., the Court prima facie is of the view that prima facie no offence under the SC/ST Act is made out and thus the order dated 20.12.2023 is set- aside.

6. The appeal stands allowed.

7. The appellant, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Session Judge Ist-cum-Special Judge SC/ST Act, Munger, in connection with SC/ST P.S. Case No. 39 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The personal appearance of Investigating Officer of the case is dispensed with.

sanjeev/-

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

(Satyavrat Verma, J)

