

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.650 of 2024

Arising Out of PS. Case No.-367 Year-2023 Thana- DHAKA District- East Champaran

Om Prakash Ranjan SON OF MAHESH RAM RESIDENT OF VILLAGE-
JHAUWARAM PS- DHAKA DISTT- EAST CHAMPARAN

... .. Appellant/s

Versus

1. The State of Bihar.
2. Ruma Devi Late Yogendra Manjhi Resident of Village- Karsahiya, P.S.-
Dhaka, District- East Champaran

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Kundan Rathore, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 04-12-2024 Heard learned counsel for the appellant and learned

Special Public Prosecutor for the State but in spite of valid

service of notice none is present on behalf of the respondent

no.2.

2. 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 01.11.2023 passed by learned Special Judge
(SC/ST Act), East Champaran at Motihari in connection with
Dhaka P.S. Case No. 367 of 2023 registered under Section
302/34 of the Indian Penal Code and Section 3 (z) (v) of the



Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. The prosecution case, in brief, is that upon being informed when the informant went to the place of occurrence she found the dead body of her husband in mutilated conditions. It has been alleged that her husband, namely, Yogendra Manjhi was killed by the appellant on account of suspicion of illicit relationship between the husband of the informant and his wife.

4. It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. The allegation of assault levelled against the appellants is not specific rather general and omnibus in nature. The appellant has been made accused in this case merely on suspicion. There is no eye witness of the occurrence. The informant herself stated that the allegation was levelled after due deliberation and consultation with the family members and well-wishers. Appellant has no criminal antecedent.

5. Learned Spl. PP for the State opposed the prayer for bail and submitted that the allegation against the appellant is very serious, hence he does not deserve privilege of anticipatory bail.



6. In the facts and circumstances of the case and the nature of the allegation, I am not inclined to enlarge the appellant on bail. The prayer for bail is hereby rejected.

7. Accordingly, this appeal is dismissed.

(Anjani Kumar Sharan, J)

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