

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.824 of 2024

Arising Out of PS. Case No.-545 Year-2023 Thana- GOPALPUR District- Patna

Chandan Kumar SON OF Rama Chandravanshi RESIDENT OF VILLAGE-
BAIRIYA, PS- GOPALPUR, DIST- PATNA

... .. Appellant/s

Versus

1. The State of Bihar
2. MANJU DEVI WIFE OF DAWARIKA MANJHI RESIDENT OF
VILLAGE- KACHHUWARA, PS- GOPALPUR, DISTT- PATNA

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Kumar, Adv.

For the Respondent/s : Ms. Usha Kumari 1, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

6 25-07-2024 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

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 bail *vide* order dated 02.12.2023
passed by the learned Excel Special Judge, SC/ST Act, Patna in
connection with Gopalpur P.S. Case No. 545/2023 dated
29.08.2023 registered for the offence/s punishable u/s 302 of the
Indian Penal Code and Sections 3(2)(v) of the SC/ST Act.

3. As per the prosecution case, on 28.08.2023 at 10 P.M.
the appellant took the informant's daughter from her house to his
scrap shop. Thereafter, the informant received information on



29.08.2023 at 8 A.M. that her daughter was killed and her dead body was thrown near the road under the tree.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. Learned counsel has further submitted that no particular caste name has been called by the appellant hence no case is made out under section SC/ST Act. The appellant has one criminal antecedent as stated at para 3 of the bail petition. The appellant is in custody since 08.09.2023.

5. Learned Spl.P.P. for the State has vehemently opposed the prayer of bail. It is further submitted that the specific allegation is against the appellant. As per the post-mortem report the informant's daughter died due to hemorrhage and shock caused by hard and blunt object. The petitioner was last seen with the informant's daughter.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of the allegation against the appellant, I am not inclined to enlarge the appellant on bail.

7. Accordingly, the appeal stands rejected.

(Chandra Prakash Singh, J)

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