

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1089 of 2023

Arising Out of PS. Case No.-300 Year-2022 Thana- KASBA District- Purnia

Munna Kumar @ Munna Kumar Sah S/O Bhagwan Sah R/V- Tara Nagar,
P.S.- Kasba, District- Purnia

... .. Appellant/s

Versus

1. The State of Bihar
2. Sukri Devi Wife Of Raj Karan Paswan R/V- Marocha, P.S.- Kasba, District- Purnia

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. N.K. Agarwal, Sr. Adv Mr. Dr. Bidhu Ranjan Ms. Diksha
For the Respondent/s	:	Mrs. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

7 11-01-2024 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellant against the order dated 19.01.2023 passed by learned Special Judge (SC/ST Act), Purnea whereby the prayer for bail of the appellant in connection with Kasba P.S. Case no. 300 of 2022 under Sections 302 and 201 of the Indian Penal Code and section 3(2)(v) of SC/ST (Prevention of Atrocities Act) Act was rejected.

Allegation against the appellant is that he used to torture the informant's daughter who was already married with one Dinesh Paswan(husband of the deceased). He tried to abduct the informant's daughter and later on he sprinkled acid on her body due to which she sustained injured. It is further alleged that panchayati was held to



compromise the matter which was done by the panchayati. He, again assaulted the informant's daughter by stabbing due to which she sustained injuries and for that complaint was lodged against him and he was sent to jail. After he returned from jail, he abducted the daughter of the informant and told her to compromise this case and later on she was murdered by this appellant.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case. The appellant has no intention to disgrace the image of the informant in public view. It is further submitted that informant is not the eye witness of the alleged occurrence and also the husband of the deceased had not lodged the case about the occurrence. Further the place of occurrence is under the jurisdiction of the matrimonial house of the deceased. Moreover, the appellant is languishing in judicial custody since 18.09.2022.

The application for bail is opposed by learned Spl. P.P. for the State and submitted that appellant is named in FIR and there is specific allegation against him to sprinkle acid and stabbed the informant's daughter. He also abducted her and later on, he committed murder of the informant's daughter. During investigation, witnesses supported the prosecution case and as per postmortem report, doctor opined that the cause of death of the deceased is due to the injuries sustained on the neck.

Having heard learned counsel for the parties and



considering the aforesaid facts, I do not find it appropriate to grant bail to the appellant and, as such, the appeal stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible.

(Sunil Kumar Panwar, J)

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