

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1348 of 2024**

Arising Out of PS. Case No.-80 Year-2024 Thana- BEUR District- Patna

Aakash Kumar @ Aakash Anand @ Aakash son of Anil Kumar R/o- Mahavir  
Colony road No-14, Ps- Beur Dist- Patna

... .. Appellant/s

Versus

The State of Bihar, Bihar

... .. Respondent/s

**Appearance :**

|                      |   |                               |
|----------------------|---|-------------------------------|
| For the Appellant/s  | : | Mr. Ramakant Sharma, Sr. Adv. |
| For the Resp no. 2   | : | Mr. Kumar Mritunjay, Adv.     |
| For the Respondent/s | : | Mr. Binay Krishna, Spl.pp     |

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

ORAL ORDER

4      20-06-2024                      Heard learned counsel for the appellant and learned  
counsel for the informant as well as 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 against the rejection of prayer for bail vide order dated 16.02.2024 passed by the learned court below in connection with Beur P.S. Case No. 80 of 2024 dated 12.02.2024 registered for the offence/s punishable u/s 302 of the Indian Penal Code and 3(2) (V) of the SC/ST (POA) Act.

3. As per the prosecution case, the informant's sister had been living in live-in-relationship with the petitioner for five years and on the instigation of the petitioner, she had been



living separately at Taj Pratap Nagar for two years. On 11.02.2024, the petitioner came to the house of the informant and told that Dipshikha (informant's sister) committed suicide due to settlement of his marriage elsewhere.

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 the deceased committed suicide by hanging herself. It is further submitted that when the petitioner came to know about the said incident, he called the ambulance and took her to hospital. Learned counsel has further submitted that there is no allegation of casteist remark against the appellant hence no case is made out under section SC/ST Act. The informant is not the eyewitness to the alleged occurrence. The petitioner is the supervisor of contractor Satya Kumar and he was getting work of repair of the said building on that day. The appellant has no criminal antecedent as stated at para 3 of the bail petition. The appellant is in custody since 12.02.2024.

5. Learned counsel for the informant as well as learned Spl. P.P. for the State has vehemently opposed the anticipatory bail petition of the appellant and submitted that the appellant didn't inform about the said occurrence to the family



members of the deceased. As per para 9 of the case diary, the appellant was in live-in-relationship with the deceased for two years. She was living separately at Taj Pratap Nagar leaving her house and the petitioner was living there. The marriage of the the petitioner was fixed elsewhere and due to that the deceased became furious and committed suicide. The appellant was in live-in-relationship with the deceased for two years.

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

7. The learned trial court is further directed to expedite the trial and conclude the same preferably within six months from the date of receipt of this order to the court concerned, however, if the trial is not concluded within the aforesaid period of six months, the appellant will be at liberty to renew his prayer for bail.

8. Accordingly, the appeal stands rejected.

**(Chandra Prakash Singh, J)**

guddukr/-

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