

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1600 of 2024

Arising Out of PS. Case No.-626 Year-2023 Thana- BUDDHACOLONY District- Patna

Ajay Kumar Son Of Arvind Singh @ Arvind Kumar Resident Of Village-
Road No. 23, Mandiri Kathpul, South Mandiri, Ps- Buddha Colony, Dist-
Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Prashant Kashyap

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER

5 31-07-2024 Heard learned counsel for the appellant as well as
learned Spl.P.P. for the State.

2. This appeal has been preferred on behalf of the appellant under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act for setting aside the order dated 16.02.2024 passed by the learned Exclusive Special Judge (SC/ST) Act, Patna in connection with Buddha Colony P.S. Case No. 626 of 2023, registered for the offences punishable under Sections 302 of the Indian Penal Code and subsequently added Section 120/34 of the Indian Penal Code and 3(2)(v) of SC/ST, Act, whereby the prayer for bail of the appellant has been rejected.

3. On 23.09.2023, the informant who is mother of the deceased got an information about murder of her son Rajan Kumar. She went to the post-mortem house and saw the dead body of her son in a pool of blood. She has stated in her *fardbeyan* that someone had killed his son by inflicting knife blows due to



enmity.

4. Learned counsel for the appellant has submitted that the appellant is innocent and has falsely been implicated. There is no evidence against him in the entire case diary.

5. On the other hand, learned Spl.P.P. has opposed the prayer for bail.

6. From perusal of paragraph nos. 6, 7, 8 and 9 of the case diary, it appears that prior to the present occurrence altercation had taken place between the accused persons including the petitioner and the deceased. One of the co-accused has been declared juvenile and his case is pending before the Juvenile Justice Board. On the basis of confessional statement of that Juvenile, the blood-soaked clothes of the appellant and co-accused Vicky Kumar were recovered. The petitioner and Vicky Kumar rendered their confessional statement in paragraph no. 35 and 36 in which they furnished the vivid description of murder of the accused by inflicting knife blows. They have also been seen in CCTV camera.

7. In my view, the appellant does not deserve the privilege of bail. Accordingly, this appeal is dismissed.

(Nawneet Kumar Pandey, J)

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