

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2976 of 2024

Arising Out of PS. Case No.-29 Year-2022 Thana- DALSINGHSARAI District- Samastipur

Surendra Kumar Yadav @ Hira Lal Ray Son Of Ratan Yadav @ Ratan Ray @
Ratan Jadav Resident Of Village - Milki, Ward No. 01, P.S. - Mansurchak,
District - Begusarai

... .. Appellant/s

Versus

1. The State Of Bihar
2. Punam Devi Wife Of Late Aklu Ram Resident Of Village - Bambaiya
Harlal, Ward No.03, P.S. - Dalsinghsarai, District - Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jitendra Sinha
For the Respondent/s : Mrs. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 27-09-2024 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. Learned Spl. PP for the State, in compliance of
order dated 23.08.2024, informed the informant/complainant.
Nobody appeared on behalf of the informant/complainant.

3. 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 17.05.2024 passed by learned Special Judge
SC/ST (POA) Act, Samastipur, in connection with Dalsinghsarai
P.S. Case No. 29 of 2022 registered under Sections 302, 201 and



34 of the Indian Penal Code and Section 3(2)(v) of the SC/ST Act.

4. As per the F.I.R., the appellant took Rs.2 lakhs from the deceased in order to execute a sale-deed in favour of the deceased but neither the petitioner executed sale-deed nor returned the money of the deceased. Earlier, the deceased kept the motorcycle of the petitioner in lieu of money but motorcycle was taken back by the brother-in-law of the appellant, who also threatened to kill the deceased. It is alleged that due to this dispute the appellant committed murder of the deceased.

5. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. The allegation levelled against the appellant is not specific rather general and omnibus in nature. He submits that the appellant is made accused in the present merely on the basis of suspicion. He further submits that there is no eye-witness in the present case. He next submits that no person has supported the prosecution case. Appellant has got no antecedent as mentioned in para-3 of memo of the appeal.

6. Learned Spl. PP for the State opposes prayer for bail.

7. Considering the facts and circumstances of case



and the nature of the offence, I am not inclined to enlarge the
appellant on anticipatory bail. The prayer for anticipatory bail of
the appellant is hereby rejected.

(Anjani Kumar Sharan, J)

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