

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4198 of 2023

Arising Out of PS. Case No.-131 Year-2022 Thana- PARASI District- Jehanabad

Anand Singh @ Nand Kumar Singh @ Nand Kumar Son Of Gopi Mahto
Resident Of Village -Chakiya Ps- Parasi District- Arwal

... .. Appellant/s

Versus

1. The State of Bihar BIHAR
2. Arti Devi Wife Of Anjit Paswan Resident Of Village -Chakiya Ps- Parasi District- Arwal

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sunil Kumar, Adv
For the Respondent/s : Ms. Usha Kumari 1, Sp.PP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 09-04-2024 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State and learned counsel for the informant.

2. The instant appeal has been filed by the appellant against the order dated 22-07-2023 passed by learned Additional District and Sessions Judge-I-cum-Special Judge, SC/ST, Jehanabad whereby the prayer for bail of the appellant in connection with Parasi PS Case No. 131 of 2022 instituted for the offences under Sections 436, 307 & 34 of the Indian Penal Code (for brevity 'the IPC') and Sections 3(i)(r)(s)(w) & 3(ii)(v) of SC/ST Act was rejected. Subsequently, Section 302 of the IPC was added.



3. Prosecution case, in short, is that appellant has set fire in the house of the informant due to which her sister-in-law, daughter of the sister-in-law and one cow burnt.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view. Hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 30-11-2022 and has one criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that there is direct allegation levelled against the appellant. It is also submitted that sister-in-law and her daughter died during the course of treatment. As per the postmortem report, doctor has opined that death is caused due to burn injuries and its complication caused by flame of fire.

6. Considering the aforesaid facts and circumstances of the case and nature and gravity of the offence, this Court is not inclined to allow this appeal. Accordingly, the appeal is



dismissed.

7. The trial court is directed to expedite the trial without any undue delay and unnecessary adjournments.

8. The District Magistrate, Jehanabad and the Superintendent of Police, Jehanabad are also directed to take necessary steps to produce the witnesses on the date fixed in the Trial Court so that the trial could be concluded within the stipulated period.

9. Let this order be communicated to the District Magistrate, Jehanabad and the Superintendent of Police, Jehanabad.

(Rudra Prakash Mishra, J)

Raj kishore/-

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