

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4323 of 2023

Arising Out of PS. Case No.-69 Year-2023 Thana- GUTHANI District- Siwan

Tripuari Dubey S/O Govind Dubey R/O Village- Bakulari, P.S- Guthani,
Distt.- Siwan.

... .. Appellant/s

Versus

1. The State of Bihar
2. Manju Devi W/O Late Kirshna Murari Prasad R/O Village- Bakulari, P.S-
Guthani, Distt.- Siwan.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Gajendra Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 01-02-2024 Heard learned counsel for the appellant, learned

Special Public Prosecutor for the State learned counsel for the

informant.

The instant appeal has been filed by the appellant
against the order dated 30.08.2023 passed by learned 1st
Additional Sessions Judge-cum-Special Judge SC/ST Act,
Siwan whereby the prayer for bail of the appellant in connection
with Guthani P.S. Case no. 69 of 2023 under Sections 302, 379
and 34 of the Indian Penal Code and section 3(i) (x) 3(2) (va) of
SC/ST (Prevention of Atrocities Act) Act was rejected.

Allegation against the appellant is that he assaulted
the informant's husband by means of *lathi* on his head due to



which he sustained injury. Further, co-accused assaulted her husband on his face and thereafter, all the accused persons assaulted him resulting to his death.

It is submitted by learned counsel for the appellant that appellant has been falsely implicated in this case due to village politics. The appellant has no intention to disgrace the image of the informant in public view. A statement has been made in para-3 of this petition that the appellant has got no criminal antecedent. It is further submitted that son of the informant does not support with the prosecution case during trial in his deposition. Moreover, he is languishing in judicial custody since 17.03.2023.

The application for bail is opposed by learned Spl. P.P. for the State and learned counsel for the informant and submitted that appellant is named in FIR and there is direct allegation against this appellant who assaulted the informant's husband on his head by means of lathi. During investigation, witnesses supported the prosecution case and postmortem report also corroborated with the prosecution version.

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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