

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4478 of 2024

Arising Out of PS. Case No.-251 Year-2024 Thana- NAWANAGAR District- Buxar

Niraj Pradhan S/o Narad Pradhan @ Narad Muni Pradhan R/o Village-
Parsaganda, Post- Khandricha, PS- Sikraul, District- Buxar Bihar 802126

... .. Appellant/s

Versus

1. The State of Bihar
2. Kamlawati Kumari @ Kamlawati Devi W/o Azad Paswan R/o vill -
Parsaganda, Post- Khandricha, P.S. - Sikraul, Distt. - Buxar, Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Abhishek Kumar Pandey
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 10-12-2024 1. Heard learned counsel for the appellant and learned
Additional Public Prosecutor for the State.
2. An order, dated 05.09.2024, passed by learned Additional
Sessions Judge I -cum- Special Judge SC/ST Act, Buxar,
in ABP No. 1122 of 2024, is under challenge in the
present appeal preferred under Section 14-A (2) of the
Schedule Caste and Schedule Tribes (Prevention of
Atrocities) Act, 1989, whereby the anticipatory bail
application of the appellant in connection with
Nawanagar Police Station Case No. 251 of 2024
registered for the offence punishable under Sections
190/191(2)/191(3)/115(2)/126(2)/109/352/351(2) of the



Bharatiya Nyaya Sanhita and Sections 3 (1)(r) and 3(2) (va) of the Schedule Caste/Schedule Tribe (Prevention of Atrocities) Act, has been rejected.

3. The prosecution case, as per the First Information Report, is that on on 07.08.2024, the informant received information that her husband, namely, Azad Paswan, has been intercepted and fired upon by the appellant and other co-accused persons, while he was going to Dumrao by motorcycle and due to which he sustained fire-arm injuries on left side of the chest, right thigh, left foot and fracture on head and during treatment the informant's husband died.
4. Learned counsel for the appellant submits that the appellant has not committed any offence in the manner alleged and he has falsely been implicated in the present case due to village politics. He next submits the appellant was not present at the place of occurrence and he has been made accused on the basis of concocted story. He further submits that the deceased was a member of anti-social organization having long criminal history and due to which he might have been killed. He also submits that no specific allegation has been made against the



appellant. The appellant is not having any criminal antecedent.

5. Having regard to the submissions made on behalf of the parties and taking into consideration the nature of offence and the fact that deceased died due to fire-arm injuries, I am not inclined to grant the appellant privilege of anticipatory bail.
6. This appeal is, accordingly, rejected and the order, dated 05.09.2024, passed by learned Additional Sessions Judge I -cum- Special Judge, SC/ST Act, Buxar, in ABP No. 1122 of 2024, is hereby affirmed.

(Anil Kumar Sinha, J)

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