

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3819 of 2023

Arising Out of PS. Case No.-119 Year-2023 Thana- JAGDISHPUR District- Bhagalpur

Aman Mandal Son Of Late Bhajho Mandal Resident Of Village- Harijan Tola,
Puraini, Ps- Jagdishpur, Distt- Bhagalpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Opee Das Son Of Late Jedu Das Resident Of Village- Harijan Tola, Puraini,
Ps- Jagdishpur, Distt- Bhagalpur

... .. Respondent/s

with

CRIMINAL APPEAL (SJ) No. 5284 of 2023

Arising Out of PS. Case No.-119 Year-2023 Thana- JAGDISHPUR District- Bhagalpur

Ranjan Harijan Son Of Late Suresh Harijan R/O At Harijan Tola, Puraini,
P.S.- Jagdishpur, District- Bhagalpur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

(In CRIMINAL APPEAL (SJ) No. 3819 of 2023)

For the Appellant/s : Mr.Rajive Ranjan Singh

For the Respondent/s : Mr.Usha Kumari 1

(In CRIMINAL APPEAL (SJ) No. 5284 of 2023)

For the Appellant/s : Mr.Rajive Ranjan Singh

For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 18-01-2024 Heard learned counsel for the appellants and learned
Special Public Prosecutor for the State.

The instant appeal has been filed by the appellants against
the order dated 19.07.2023 passed by learned 3rd Additional Sessions
Judge-cum-Spl. Judge (SC/ST Act), Bhagalpur whereby the prayer
for bail of the appellants in connection with Jagdishpur P.S. Case no.



119 of 2023 under Sections 302, 201 and 34 of the Indian Penal Code and sections 03(1) 3(ii)(r)(s)(va) of SC/ST (Prevention of Atrocities Act) Act was rejected.

Allegation against the appellants along with other co-accused is that they committed murder of the informant's husband when her husband were returning after closing his garage shop.

It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case. The appellants have no intention to disgrace the image of the informant in public view. Informant is not the eye witness of the alleged occurrence. Moreover, they are languishing in judicial custody since 17.03.2023 and 22.08.2023 respectively.

The application for bail is opposed by learned Spl. P.P. for the State and stated that appellants are named in FIR and during investigation, confessional statement of the co-accused, namely, Raj Kumar was recorded vide para-70 of the case diary, in which he confessed about the guilt and stated about the complicity of the appellants in commission of murder of the informant's husband. Brutal murder of the deceased has been committed by the appellants along with other co-accused. During investigation, witnesses supported the prosecution case and as per postmortem report, doctor opined that the cause of death is due to injuries caused by sharp edged cutting weapon and hard blunt objects. FSL 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 appellants and, as such, the appeals stand 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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