

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.875 of 2025

Arising Out of PS. Case No.-5 Year-2024 Thana- JAIPUR District- Banka

Manoj Poddar, Son of Shatrudhan Poddar @ Shatrughan Poddar Village
-Araji (Chakrama), Police Station- Mohanpur, District -Deoghar, Jharkhand.

... .. Appellant/s

Versus

1. The State of Bihar
2. Sachindra Rajak son of Late Bhagu Baitha Village- Lohmarwa, Ps-
Saraiyahat, Dist- Dumka Jharkhand

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Mukherjee
For the Respondent/s : Mr.Sadanand Paswan- Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 27-06-2025 1. Heard learned counsel for the appellant and the
learned Special Public Prosecutor for the State.

2. The appellant has challenged the order dated
19.11.2024 passed by the learned Additional Sessions Judge-1-
cum-Special Judge, SC/ST Act, Banka in connection with B.P.
No.519 of 2024/ CIS No.519 of 2024 arising out of Jaipur P. S.
Case No.05 of 2024, instituted for the offences under Section
302 and 120B/34 of the Indian Penal Code and Section 3(i)(r)
(s),(2),(va) of the Scheduled Castes & Scheduled Tribes
(Prevention of Atrocities) Act, whereby his prayer for grant of
bail has been rejected.

3. The learned counsel for the appellant submits that



appellant had earlier moved this Court seeking anticipatory bail by filing Cr. Misc. No.59690 of 2024 and the same was permitted to be withdrawn by an order dated 18.09.2024. It is next submitted that appellant is a person with clean antecedent and the informant alleges that he has two sons namely, Abhishek Kumar Rajak (deceased) and Vibhishek Kumar Rajak. Further, Abhishek was residing and studying in village- Chakrama and was also doing a private job in Jeevan Jyoti Dental Lab. It is next alleged that son of the informant was having an illicit relation with wife of the appellant for the last 5-6 years for which a Panchayati was also convened. It is next alleged that on 03.01.2024, the son of the informant called his mother and informed that he would return home by night, but on 04.01.2024, villagers informed that dead body of the informant's son was hanging in the orchard of Pokhan Sharma and accordingly, he reached the place of occurrence and saw the dead body of his son hanging from a tree, thus alleges that accused persons including the appellant killed his son and thereafter, hanged his body.

4. The learned counsel appearing on behalf of the appellant submits that appellant has been falsely implicated in the instant case by the informant. It is next submitted that the



entire allegation hinges around suspicion. It is further submitted that informant himself alleges that the deceased was having illicit relation with the wife of the appellant, as such, based on the said suspicion, the appellant has been named that he might be involved in killing of the deceased. It is next submitted that informant is not an eye witness to the occurrence and the entire allegation thus hinges around suspicion. It is further submitted that appellant is in custody since 14.08.2024 and charges have been framed by an order dated 04.04.2025 as would manifest from Annexure-3 to the supplementary affidavit.

5. The learned counsel appearing on behalf of the appellant thus submits that since charges have been framed, the appellant will cooperate in the trial to prove his innocence. It is reiterated and submitted that the entire allegation hinges around suspicion. It is also submitted that even during the course of investigation, no material transpired which could even remotely connect the appellant with the offence except for suspicion.

6. The learned Special P. P. opposes the bail application.

7. Regard being had to the aforesaid submissions, the order dated 19.11.2024 is set-aside.

8. The appeal stands allowed.



9. The appellant, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1-cum-Special Judge, SC/ST Act, Banka in connection with B.P. No.519 of 2024/ CIS No.519 of 2024 arising out of Jaipur P. S. Case No.05 of 2024.

10. However, in the event, if the learned trial Court comes to a conclusion that the appellant after his release is trying to delay the trial in any manner, the learned trial Court shall forthwith cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

