

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1009 of 2025

Arising Out of PS. Case No.-530 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

Jitendra Kumar Singh @ Jitan Singh Son of Late Shyamlal Bhagat Resident
of Village - Dadhiya Bhagwanpur, P.S. - Bochhan, District - Muzaffarpur
... .. Appellant/s

Versus

1. The State of Bihar
2. Ramesh Kumar Ram @ Ramesh Ram Son of Late Ramnaresh Ram Resident
of Village - Bhagwanpur Dadhiya, P.S. - Bochaha, District - Muzaffarpur
... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Yugal Kishore, Adv.
For the Respondent/s : Mr. Sadanand Paswan, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 31-07-2025 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State. However, notice has
been validly served to the respondent no.2, but none appeared
on behalf of the respondent no.2.

2. This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter in short referred to as the
SC/ST Act) against the refusal of prayer of bail *vide* order dated
20.06.2024 passed by the learned Exclusive Special Judge,
SC/ST (PoA) Act, Muzaffarpur in connection with Bochahan
P.S. Case No. 530/2023 dated 20.11.2023 registered for the
offences punishable u/ss 147, 149, 341, 342, 323, 307, 504, 506
and 302 of the Indian Penal Code and Sections 3(1)(r), 3(1)(s),
3(2)(va), 3(2) of the SC/ST (PoA) Act.



3. As per the prosecution case, when the informant along with his family members was returning to his house, then the appellant surrounded and abused him by taking caste name. On being opposed by the informant, the appellant and the co-accused persons abused and assaulted with fists, slaps, legs, lathi and danda. It is further alleged that the appellant threw chilli powder in the eye of the informant's father and gave knife blow on his neck due to which his neck got cut and blood started oozing out and he fell down on the ground, thereafter when the informant along with his brother came to rescue his father, then the appellant gave knife blow in the stomach of the informant's brother due to which he got injured, thereafter all the accused persons abused the informant by taking caste name and assaulted with fists, legs and slaps.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. The charge-sheet has been submitted against the appellant. It is further submitted that there is no member of public was present at the relevant point of time of the incident. Learned counsel has further submitted that no particular caste name has been called by the appellant hence no case is made out under section SC/ST Act. The appellant has no concern with the



alleged offence. The appellant has two criminal antecedents as stated at para 3 of the bail petition. The appellant is in custody since 21.12.2023.

5. Learned Spl.P.P. for the State has vehemently opposed the prayer of bail. It is further submitted that the specific allegation of knife blow on the informant's father and brother is against the appellant. As per para-36 of the case diary, it is mentioned that the cause of death of the father of the informant is due to haemorrhage and shock due to sharp edged weapon.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the appellant, I am not inclined to set aside the impugned order dated 20.06.2024 passed by the learned Exclusive Special Judge, SC/ST (PoA) Act, Muzaffarpur in connection with Bochahan P.S. Case No. 530/2023 and accordingly, the prayer for bail of the appellant is rejected.

7. Learned court below is directed to conclude the trial of the appellant at the earliest.

(Chandra Prakash Singh, J)

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