

Arising Out of PS. Case No.-516 Year-2024 Thana- PIRPAINTI District- Bhagalpur

... .. Appellant/s

Versus

- Respondent/s

For the Respondent/s : Mrs. Usha Kumari 1, Spl. PP

5 12-12-2025 Heard learned counsel for the parties.

Nobody appears on behalf of respondent No. 2.

2. This appeal has been filed for setting aside order dated 11.02.2025 passed in a case registered for the offence punishable under sections 103 (2) and 3 (5) of BNS and sections 3 (i)(r) 3 (1) (s)/ 3(2) (va) of the Scheduled Castes and Scheduled Tribes Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3 . As per F.I.R. informant suspects that all the named accused persons including this appellant killed the son of informant namely Manoj Kumar by strangulating him with rope .



4. It is submitted on behalf of the appellant that informant is not an eye witness to the alleged occurrence . Only suspicion has been raised against this appellant. he prosecution has conspicuously failed to establish any motive or mens rea attributable to the present appellant behind the aforesaid occurrence . Earlier, son of the informant has also lodged Pirpanti PS Case No. 485 of 2024 against accused persons but has not named this appellant in the aforesaid case . There is no allegation that this appellant abused the informant or his son by caste name and as such, no case under Section SC / ST is made out.

5 . Learned special Public Prosecutor for the State opposed the bail.

6. Considering the aforesaid facts, this appeal is allowed with respect to this appellants only and the impugned order is set aside. Let the appellants, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge III-cum-Special Judge SC & ST Act Bhagalpur in



connection with Pirpainti Police Station Case No. 516 of
2024 .

(Prabhat Kumar Singh, J)

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