

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1303 of 2025

Arising Out of PS. Case No.-289 Year-2024 Thana- GOVINDPUR District- Nawada

1. Karu Chaudhary @ Ranjeet Kumar Chaudhary S/O Late Baleshwar Chaudhary R/O VILLAGE- Govindpur Dih, P.S. -Govindpur, DISTRICT- Nawada
2. Rajesh Chaudhary S/O Late Baleshwar Chaudhary R/O VILLAGE- Govindpur Dih, P.S. -Govindpur, DISTRICT- Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Shobha Devi W/O Late Ranjan Rajwanshi R/O VILLAGE- Govindpur Dih, P.S. -Govindpur, DISTRICT- Nawada

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Deepak Kumar, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, Spl. Public Prosecutor
For the Informant	:	Mr. Pankaj Kumar, Mr. Sunil Kumar, Advocates

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-08-2025 Heard learned counsel appearing on behalf of appellants, respondent no. 2 and Spl. Public Prosecutor.

2. Earlier, prayer for grant of anticipatory bail of the appellants stood dismissed as withdrawn *vide* order dated 20.02.2025 passed in Cr. Appeal (SJ) No. 5674 of 2024.

3. This appeal has been filed against the order dated 01.03.2025 passed by learned Exclusive Special Judge SC/ST (POA) Act, Nawada in B.P. No. 269 of 2025 in connection with Govindpur P.S. Case No. 289 of 2024, registered under Sections 103(2), 3(5) of the Bharatiya Nyaya Sanhita and Sections 3(2)



(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the prayer for regular bail of appellants has been rejected.

4. As per the prosecution case, on 25.09.2024 at about 08:00 A.M., the informant's husband Rajam Rajvanshi went to his furnace in the Aam Koliya Sarpatwa forest located in Sarkanda to distill country liquor where at about 3 P.M., this appellant, along with other co-accused persons along with 6-7 other unknown persons, who earlier used to extort money, threatened the informant's husband to kill him if he did not pay the money and when husband of the informant refused, he was beaten to death with *lathi-danda* and iron rod.

5. Learned counsel for the appellants submits that from perusal of the F.I.R. it is apparent that informant is not an eye witness of the occurrence and appellant has been made accused in this case only on suspicion. During investigation, none of the witnesses have claimed to have seen these appellants to have committed the offence as such, there is no material against the appellants except suspicion. There is no allegation of abuse by caste name in the F.I.R. as such, no offence under SC/ST Act is made out.

6. However, learned Spl. Public Prosecutor appearing



for the State as well as learned counsel for the informant vehemently opposed the bail application and submitted that appellant is named in the F.I.R. with specific accusation that he along with other accused persons demanded extortion and on refusal, assaulted husband of the informant with *lathi* and *danda* as a result he died on the spot. Appellant no. 1 has got four criminal antecedents and appellant no. 2 has got five criminal antecedents.

7. Considering the nature and gravity of accusation, I do not find any ground to interfere with the order of the learned court below and as such, the appeal, which has been filed for grant of regular bail, is hereby rejected.

(Prabhat Kumar Singh, J)

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