

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1653 of 2025

Arising Out of PS. Case No.-133 Year-2024 Thana- HARPUR District- Munger

Binod Kumar Son of Ajay Mandal Resident of village - Durmatha, P.S.-
Harpur, District - Munger.

... .. Appellant/s

Versus

1. The State of Bihar
2. Bipin Das Son of Late Girdhari Ravidas Resident of village - Dhauri, P.S.-
Harpur, District - Munger.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Deep Anshuman, Adv.
For the Respondent/s	:	Mr. Usha Kumari 1, Spl.P.P.
For the Informant/s	:	Mr. Kumar Baitha, Adv.
		Mr. Vikram Vikrant, Adv.

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

ORAL ORDER

4 07-08-2025 Heard learned counsel for the appellant and learned
counsel for the informant as well as learned Special Public
Prosecutor for the State.

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
22.03.2025 in SC/ST Case No. 133/2024 passed by the learned
Court of District and Additional Sessions Judge-1st-cum-Special
Judge, SC/ST, Munger in connection with Harpur P.S. Case No.
133 of 2024 dated 16.11.2024 registered for the offence/s



punishable u/s 80 read with Section 3(5) of B.N.S. and after submitting the charge-sheet, Section 3(2)(va) of SC/ST was added.

3. As per the prosecution case, the appellant and the co-accused persons are alleged to have strangled the informant's daughter to death due to non-fulfillment of demand of money and a bike as dowry.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. The appellant is the husband of the deceased. There is no direct allegation against the appellant rather the allegation against him is general and omnibus in nature. The appellant neither demanded any dowry nor tortured the informant's daughter. There is no allegation of abusing against the appellant and hence, no offence under the provisions of SC/ST Act is made out against the appellant. It is further submitted that the occurrence took place on 13.11.2024 but the FIR was lodged on 16.11.2024 i.e. the delay of three days and there is no explanation for this delay. The appellant has no concern with the alleged offence. The appellant has no criminal antecedent as stated at para 3 of the bail petition. The appellant is in custody in this case since 14.12.2024.



5. Learned Spl.P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer of bail of the appellant and submitted that the appellant, who is the husband of the deceased, has committed murder of the daughter of the informant by strangulation due to non-fulfillment of demand of dowry. It is further submitted that as per para 8 and 9 of the case diary, which is mentioned in the impugned order, the witnesses have supported the case of the prosecution.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the appellant, I am not inclined to set aside the impugned order dated 22.03.2025 in SC/ST Case No. 133/2024 passed by the learned Court of District and Additional Sessions Judge-1st-cum-Special Judge, SC/ST, Munger in connection with Harpur P.S. Case No. 133 of 2024 and accordingly, the prayer for bail of the appellant is rejected.

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

(Chandra Prakash Singh, J)

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