

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2250 of 2025

Arising Out of PS. Case No.-37 Year-2024 Thana- GARVANDANGA District- Kishanganj

Nazrul @ Najrul Haque S/O Hirajul Resident of Village- Hamla, P.S-
Powakhali ,District- Kishanganj

... .. Appellant/s

Versus

1. The State of Bihar
2. Manda Devi Wife of Jitu Lal Rai Resident of Village- Malingaon, P.S-
Powakhali, Dist- Kishanganj.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ram Prawesh Kumar, Adv.
For the Respondent/s : Mr. Sadanand Paswan, Spl. PP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 04-09-2025 1. Heard learned counsel for the appellant and learned
Spl. P.P. 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 referred to as the “SC/ST
Act”) against the refusal of prayer for anticipatory bail vide
order dated 07.05.2025 passed by the learned 1st Additional
Sessions Judge-cum-Special Judge, Kishanganj in connection
with Supplementary Garbandanga P.S. Case No. 37 of 2024
registered for the offences punishable under Sections 140(1),
103(1), 238 and 61(2) of the BNS, 2023 read with Sections 3(2)
(v) of the SC/ST Act.



3. Learned counsel for the appellant submits that appellant is a person with clean antecedent and the informant alleges that her son was married to Batasi Devi who developed illicit relationship with one Galib Sadan, on account of which she used to threatened his son, it is next alleged that on 09.11.2024, the informant came to know that her son was lying in a pool of blood on the national highway, accordingly, she reached the place of occurrence and the instant FIR came to be instituted wherein based on suspicion, it is alleged that Batasi Devi and Galib Sadan committed the occurrence.

4. Learned counsel for the appellant submits that appellant is not named in the FIR. It is further submitted that during the course of investigation, Batasi Devi, the wife of the deceased, was apprehended and in her confessional statement, the name of Rahid Alam transpired and the name of the petitioner transpired in the confessional statement of Rahid Alam, it is thus, submitted that confessional statement in police custody does not have any evidentiary value.

5. Learned Special P.P. for the State, Mr. Sadanand Paswan, opposes the appeal and submits that that the son of the informant was killed and his body was thrown on the national highway and during the course of investigation, as submitted by



the learned counsel appearing on behalf of the appellant, the wife of the deceased was apprehended and based on her disclosure, name of Rahid Alam transpired and Rahid Alam in his confessional statement disclosed the name of the appellant. It is also submitted that investigation is continuing.

6. Considering the submissions made by the learned Special PP for the State, the Court is not inclined to entertain the appeal.

7. Accordingly, the instant appeal stands rejected.

(Satyavrat Verma, J)

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