

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3262 of 2024

Arising Out of PS. Case No.-60 Year-2023 Thana- SANOKHAR District- Bhagalpur

Arbind Mandal @ Arvind Mandal S/o- Rajo Mandal @ Radhe Mandal
Village- Ghuthiyani Tinghariya, P.S. Amdanda, Dist. Bhagalpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Vittimai Devi wife of Patwari Hausda Village- Tinghariya, Ghuthiyani, P.S. Amdanda, Dist. Bhagalpur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Davendra Kumar Pandey, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, APP
For the Informant	:	Mr. Aditya Nath Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 18-01-2025 Heard learned counsel for the appellant, learned Special Public Prosecutor for the State and learned counsel for the informant. Perused the case diary.

2. The instant appeal has been filed by the appellant against the order dated 31.05.2024 passed by Additional District and Sessions Judge-III-cum-Special Judge (SC/ST) Act, Bhagalpur whereby the prayer for bail of the appellant in connection with S.T. No. 768 of 2023 arising out of Sanokhar (Amdanda) P.S. Case No. 60 of 2023 under Sections 302, 201/34 of the IPC and 3(2)(va) of SC/ST Act was rejected.

3. Allegation against the accused persons is of commission of the murder of the informant's husband.



4. Learned counsel for the appellant submits that the appellant has falsely been implicated in the present case. The name of the appellant has transpired only on the basis of suspicion. There is no eye-witness to the occurrence. There is no direct or indirect evidence against the appellant. No incriminating article has been recovered from the conscious possession of the appellant. Learned counsel for the appellant further submits that the appellant has not taken the caste name of the informant in public view, hence, no offence under the provisions of SC/ST Act is made out against him. The appellant has no intention to disgrace the image of the informant in public view. The appellant is in custody since 01.03.2023 and has no criminal antecedent.

5. Learned Special P.P. for the State and the informant have vehemently opposed the prayer for grant of bail to the appellant.

6. As per the report dated 18.11.2024 sent by the learned Court below, it appears that the case is at the stage of prosecution evidence and four witnesses out of nine have already been examined.

7. Considering the aforesaid facts and circumstances of the case as also taking into account the present stage of the



trial, this Court is not inclined to grant bail to the appellant at this juncture.

8. Accordingly, the appeal stands dismissed.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

