

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4014 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- Lokha District- Supaul

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Pankaj Chaudhary @ Pankaj Chaudhari Son fo Ramdev Chaudhary @
Ramdeo Chaudhari Resident of Village- Bela Ward No. 15, P.S. Laukaha,
District- Supaul

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Laleshwar Ram Son of Sitaram Ram Resident of Village- Chhapariya Ward
No. 13, P.S.- Laukaha, Distt.- Supaul

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Kamal Kishore Singh, Advocate Mr. Kumar Aman, Advocate
For the State	:	Mrs. Usha Kumari 1, Spl.PP
For the Respondent	:	Mr. Manish Kumar No. 2, Advocate Mr. Nand Kishore Roy, Advocate Mr. Gajendra Kumar Singh, Advocate

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

ORAL ORDER

3 30-10-2025 Heard learned counsel for the appellant, learned
counsel for the respondent 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 in short referred to as the
'SC/ST Act') against the refusal of prayer for anticipatory bail
of the appellant *vide* order dated 01.08.2024 passed by the
learned Additional Sessions Judge 1st cum- Special Judge,
SC/ST Act, Supaul in connection with ABA No. 748 of 2024
arising out of Laukaha P.S. Case No. 18/2024 dated 05.05.2024
registered for the offence/s punishable u/s 304B and 302 read
with Section 34 of the Indian Penal Code and Sections 3(1)(r)(s)



and 3(2)(v) of the SC/ST Act.

3. As per the prosecution case, the appellant and the co-accused persons are alleged to have tortured the informant's daughter mentally and physically and killed her due to non-fulfillment of demand of Rs. 5 lacs as dowry.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. As per FIR, no member of public was present at the relevant point of time of the incident. Learned counsel has further submitted that no particular caste name has been called by the appellant hence no case is made out under SC/ST Act. There is general and omnibus allegation against the appellant who is the brother-in-law of the deceased. The appellant neither demanded any dowry nor tortured the deceased. The husband of the deceased namely Rajesh Chaudhary is in jail as stated in para 9 of the bail petition. The co-accused person has already been granted regular bail by this court vide order dated 20.02.2025 passed in Cr. Appeal (SJ) No. 4714/2024. The appellant has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned Spl. P.P. for the State as well as learned counsel for the respondent no. 2 have vehemently opposed the



prayer for anticipatory bail of the appellant.

6. In view of the aforesaid facts and circumstances of the case as well as the fact that no case is made out against the appellant, the impugned order *vide* order dated 01.08.2024 passed by the learned Additional Sessions Judge 1st cum-Special Judge, SC/ST Act, Supaul in connection with ABA No. 748 of 2024 arising out of Laukaha P.S. Case No. 18/2024, is set aside against the appellant. The criminal appeal is allowed.

7. Accordingly, the above named appellant, in the event of his arrest/ surrender before the learned court below within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 1st cum- Special Judge, SC/ST Act, Supaul in connection with ABA No. 748 of 2024 arising out of Laukaha P.S. Case No. 18/2024, subject to the conditions mentioned in Section 438(2) of the Code of Criminal Procedure.

(Chandra Prakash Singh, J)

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