

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3460 of 2025**

Arising Out of PS. Case No.-29 Year-2022 Thana- DALSINGHSARAI District- Samastipur

Heera Lal Rai @ Surendra Kumar Yadav S/O Ratan Ray @ Ratan Yadav @
Ratan Jadav R/O Village- Milki, Ward No. 1, P.S.- Mansoorchak, Dist.-
Begusarai.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Punam Devi W/O Late Aklu Ram R/O Village- Bambaiya Harlal, Ward No. 3, P.S- Dalsinghsarai, Dist.- Samastipur.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Dilip Kumar Roy, Adv. Md. Mobassar Ali, Adv.
For the Respondent/s	:	Ms. Sania Narayan Sinha, Adv. Ms. Rekha Ranjan Prasad, Adv.
For the State	:	Mr.Usha Kumari 1, Spl.PP

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

ORAL ORDER

3 30-10-2025 Heard learned counsel for the appellant, learned
counsel for the informant 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 of bail *vide* order dated 05.07.2025 passed by the learned Special Judge SC/ST (PoA) Act, Samastipur in connection with Dalsinghsarai P.S. Case No. 29 of 2022 dated 27.01.2022 registered for the offence/s punishable u/ss 302, 201 read with Section 34 of the Indian Penal Code and Sections 3(1)(r)(s), 3(2)(v) of the SC/ST Act.



3. As per the prosecution case, the appellant, Hira Lal Rai took Rs.2 lakhs from the deceased in order to execute a sale-deed in favour of the deceased but neither the appellant executed sale-deed nor returned the money of the deceased. Earlier, the deceased kept the motorcycle of the appellant in lieu of money but the said motorcycle was taken back by the brother-in-law of the appellant who also threatened to kill the deceased. It is alleged that due to this dispute the appellant and his brother-in-law with the help of the other co-accused persons committed murder of the deceased.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. It is further submitted that the compromise has taken place between the parties and the compromised petition has been annexed as Annexure-P/4 with the bail petition. It is further submitted that 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. The co-accused person has already been granted bail by this court vide order dated 31.07.2025 passed in Cr. Appeal (SJ) No. 2365/2025. The appellant has no criminal antecedent as stated at para 3 of the bail petition. The appellant is in custody since 07.05.2025.



5. Learned Spl.P.P. for the State as well as learned counsel for the informant have vehemently opposed the prayer of bail and submitted that the deceased had given Rs. 2 lakhs to the appellant for the registration of land. However, the appellant neither returned the money nor registered the land. Learned counsel has further submitted that the deceased had kept the appellant's motorcycle in lieu of money but the said motorcycle was taken back by the brother-in-law of the appellant who also threatened to kill the deceased. The witnesses in case diary have also supported the prosecution case. Learned counsel has further submitted that due to previous dispute with the deceased, the appellant in connivance with the other co-accused persons have committed murder of the deceased under conspiracy which is evident from para nos 10, 20, 21 and 36 of the case diary. As per the post-mortem report of the deceased, the cause of death is asphyxia due to strangulation.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of the allegation against the appellant, I am not inclined to set aside the impugned order dated 05.07.2025 passed by the learned Special Judge SC/ST (PoA) Act, Samastipur in connection with Dalsinghsarai P.S. Case No. 29 of 2022 and accordingly, the prayer for bail of the



appellant is rejected.

7. Learned Trial Court is directed to expedite the trial
and conclude the same at the earliest.

(Chandra Prakash Singh, J)

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