

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4423 of 2024

Arising Out of PS. Case No.-252 Year-2024 Thana- PAKARIBARAW District- Nawada

Anuj Pandey @ Chhotu Pandey Son of Gauri Kant Pandey R/o Village-
Bhalua, P.S.- Pakribarma, District- Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Kaushalya Devi Wife of Late Pappu Manjhi R/o Village- Budhauri, P.S.-
Pakribarama, District- Nawada

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Kumari Pallavi, Adv.
For the Respondent/s	:	Mr. Sadanand Paswan, Spl.P.P.
For the Informant/s	:	Mr. Lal Bahadur Singh, Adv.

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

ORAL ORDER

4 21-02-2025 Heard learned counsel for the appellant, learned
counsel for the informant and 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, (hereinafter in short referred to as the SC/ST
Act) against the refusal of prayer of bail *vide* order dated
23.08.2024 passed by the learned Exclusive Special Judge,
SC/ST Act, Civil Court, Nawada in B.P. No. 1162 of 2024 in
connection with Pakribarawan P.S. Case No. 252 of 2024
registered for the offence/s punishable u/ss 302, 120B read with
Section 34 of the Indian Penal Code, Section 27 of the Arms Act



and Sections 3(2)(v), 3(1)(r) of the SC/ST (POA) Act.

3. As per the prosecution case, the appellant and the co-accused, Manish Singh along with some unknown miscreants are alleged to have killed the husband of the informant.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. The name of the appellant has transpired in this case merely on suspicion. It is further submitted that no member of public was present at the relevant point of time of the incident and hence, no offence under provisions of SC/ST Act is made out against the appellant. Learned counsel has further submitted that the appellant has no concern with the alleged offence. The charge-sheet has been submitted against the appellant. The appellant has two criminal antecedents as stated at para 3 of the bail petition. The appellant is in custody since 15.06.2024.

5. Learned Spl. P.P. for the State and learned counsel for the informant have vehemently opposed the prayer of bail of the appellant and submitted that as per the confessional statement of one Nikhil Kumar who was arrested on 17.06.2024, the co-accused, Manish Singh and Anuj Pandey @ Chhotu (appellant) had given a contract to kill the informant's husband, namely, Pappu Manjhi with intent to become Mukhiya after the



death of Pappu Manjhi and confessed that he had killed the deceased which is also evident from the para 54 of the case diary. Learned counsel has further submitted that the appellant and the co-accused persons have committed murder of the informant's husband under the conspiracy. Earlier the prayer for grant of regular bail to the co-accused, Manish Singh @ Manish Kumar was rejected by this Court vide order dated 17.01.2025 passed in Cr. APP(SJ) No. 4320 of 2024.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of the allegation against the appellant, I am not inclined to set aside the impugned order dated 23.08.2024 passed by the learned Exclusive Special Judge, SC/ST Act, Civil Court, Nawada in connection with Pakribarawan P.S. Case No. 252 of 2024 and accordingly, the prayer for bail of the appellant is rejected.

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

(Chandra Prakash Singh, J)

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