

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4566 of 2024

Arising Out of PS. Case No.-81 Year-2024 Thana- ROH District- Nawada

Rajnish Kumar Son of Late Devendra Vishwakarma Village- Roh, P.S- Roh,
District- Nawada

... .. Appellant/s

Versus

1. The State of Bihar
2. Sarita Devi Wife of Late Sunil Rajak Village- Barapandeya, P.S- Roh,
District- Nawada

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Akhilesh Kumar, Advocate
For the Respondent/s : Ms. Usha Kumari 1, SPP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

7 29-07-2025 Heard learned counsel for the appellant, learned Special

Public Prosecutor for the State and learned counsel for the

informant.

2. The instant appeal has been filed by the appellant

against the order dated 26-07-2024 passed by learned Exclusive

Special Judge, Special Court, SC/ST (PoA) Act, Nawada

whereby the prayer for bail of the appellant in connection with

Roh PS Case No. 81 of 2024 under Sections 302, 201, 120(B),

34 of the Indian Penal Code (for short 'IPC') and Sections 3(2)

(va) & 3(2)(v) of SC/ST Act was rejected.

3. Prosecution case, in short, is that on the alleged

date and time, the husband of the informant left house but did



not return. It is further alleged that next day, the dead body of the informant's husband was found in a sac near Anila Sundar Road and was cut into pieces.

4. Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case due to local village politics. Appellant is not named in the FIR. Name of the appellant has surfaced in this case on the basis of disclosure made by co-accused person, and the same has no evidentiary value in the eye of law. Learned counsel for the appellant further submits that except suspicion, no material has cropped up during investigation. Charge-sheet has been submitted in this case. 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 26-03-2024 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 petitioner. During investigation, it is revealed that appellant talked to the informant 195 times in between



16-08-2023 to 13-03-2024, which reflects the relationship of the appellant and the informant. Appellant in his confessional statement has confessed his guilt and has very categorically elaborated the role of each accused persons in the commission of the offence. Regular bail of other co-accused has been rejected by this Court vide order dated 26-10-2024, passed in Cr. Misc. No. 43268 of 2024.

6. Considering the aforesaid facts and circumstances of the case, there being enough material against the appellant in the case diary to establish his role in the commission of the offence as also the nature and gravity of the offence, this Court is not inclined to allow the appeal. Appeal is accordingly *dismissed*.

7. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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