

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5284 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- MUSRIGHRARI District- Samastipur

Rajendra Mahto S/o Late Janak Mahto Resident of Village- Gangapur, Ward
no 2, PS- Musrigharari, District- Samastipur

... .. Appellant/s

Versus

1. The State of Bihar
2. Sajni Devi W/o Rohit Das Resident of Village- Gangapur, Ward no 2, PS-
Musrigharari, District- Samastipur

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Bijay Bhushan Prasad Mrs. Rani Shashi Bharti
For the Respondent/s	:	Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

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25-07-2025

Heard learned counsel for the appellant.

2. This appeal has been preferred on behalf of the appellant under Section 14-A (2) of the SC & ST (Prevention of Atrocities) Act, for short ‘ the Act’) for setting aside the order dated 18.05.2024, in connection with Musarigharari P.S.Case No. 19 of 2024, registered under Section 302/34 of the IPC and Section 3(2)(v) of the Act, whereby his application for bail has been rejected.

3. The informant is the widow of the deceased. According to the allegation, her husband, who was an electrician, went for his work in the evening of 07.02.2024, but did not return. In the next morning, she got an information that a person is lying in the injured

condition near the saw mill in village-Gangapur Pethiya. The informant went there with the villagers and saw the deadbody of her husband. The bicycle of the deceased was also present there. The house of the appellant was situated near the place, where the dead-body was lying. The informant made suspicion that the present appellant, along with his wife Sanju Devi, besides other co-accused persons had committed murder of the deceased.

4. The learned counsel for the appellant, while making prayer for bail, has submitted that the appellant is innocent and has falsely been implicated. Co-accused Sanju Devi has been granted bail vide order dated 04.09.2024 in Cr. Appeal (SJ) No. 3135 of 2024. There is nothing against the appellant, except his confessional statement before the police, which is not admissible in the eye of law.

5. Considering the facts and circumstances, the appeal is allowed and the impugned order dated 18.05.2024, passed by the learned Special Judge, SC/ST (POA) Act, Samastipur is set aside. Accordingly, let the appellant, above-named be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties

of the like amount each to the satisfaction of learned
learned Special Judge, SC/ST (POA), Act, Samastipur in
connection with Musarigharari P.S.Case No. 19 of 2024.

(Nawneet Kumar Pandey, J)

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