

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5527 of 2024

Arising Out of PS. Case No.-79 Year-2023 Thana- MUSRIGHRARI District- Samastipur

Mukesh Kumar, aged about 33 years, Gender-Male, Son of Ajay Sah @ Ajay Kumar Sah @ Ajay Kumar Shah, Resident of Village- Vishambharpur, Ailoth, Ward 5, P.S.- Musrigharari, District- Samastipur.

... .. Appellant/s

Versus

1. The State of Bihar
2. Manisha Kumari, aged about 26 years, Gender-Female, Wife of Mukesh Kumar, Resident of Village- Vishambharpur, Ailoth, Ward No.5 5, P.S.- Musrigharari, District- Samastipur.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

11 12-09-2025 Heard learned counsel for the appellant and learned APP for the State.

2. The appellant has preferred the present appeal filed under Section 14A(2) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the order dated 23.09.2023 passed by learned Special Judge SC/ST (POA), Act, Samastipur in Musarigharari P.S. Case No. 79 of 2023 instituted for an offences punishable under Sections 302, 201, 323 and 313/34 of the Indian Penal Code and Sections 3(1)(r)(s), 3(2)(v) of the SC/ST (Prevention of Atrocities) Act by which the appellant's prayer for bail was rejected.

3. Allegation against the appellant is that he pressed



the neck of his daughter and killed her and when the informant tried to save her daughter, then appellant caught the informant and threatened to kill her also. Thereafter appellant along with co-accused dug a hole with the aid of JCB machine and buried the dead body of the deceased. As per the informant, the appellant along with co-accused tortured her due to the fact that she performed inter-caste marriage with her husband, who earlier aborted the first child of the informant.

4. Earlier the prayer for bail of this appellant was rejected by this Court passed in Cr. Appeal (SJ) No. 5483 of 2023 vide order dated 16.04.2024 and there is no any fresh ground to reconsider the prayer for bail of the appellant.

5. Accordingly, the prayer for bail of the appellant is hereby again rejected.

(Ramesh Chand Malviya, J)

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