

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.987 of 2024

Arising Out of PS. Case No.-262 Year-2023 Thana- MADHAURAH District- Saran

Rohit Kumar @ Rohit Ray Son of Manoj Ray Resident of Village- Rampur
(Khoram), P.S. Madhaura (Gaura O.P.), District- Saran at Chapra

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramavati Devi Wife of Prabhu Ram Resident of Village- Rampur, P.S.
Madhaura (Gaura O.P.), District-Saran at Chapra

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Udai Shankar Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8 12-03-2026 Heard learned counsel appearing on behalf of
appellant and Spl. Public Prosecutor.

2. This criminal appeal has been filed against the order dated 31.10.2023 passed by learned SC/ST Exclusive Special Judge, Saran at Chapra in ABP No. 3749 of 2023 in connection with Marhaurah P.S. Case No. 262 of 2023, registered under Sections 302/34 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act whereby the prayer for anticipatory bail of appellant has been rejected.

3. As per F.I.R., all the named accused persons assaulted the son of informant with knife as a result of which he



sustained injuries and was declared dead upon reaching the hospital. Deceased disclosed the name of this appellant as one of the assailants.

4. Learned counsel for the appellant submits that appellant is innocent and has committed no offence. As a matter of fact, the alleged incident never took place and appellant has falsely been implicated in this case due to prior enmity. Allegation against appellant is general and omnibus. Appellant claims clean antecedent.

5. However, learned Spl. Public Prosecutor appearing for the State vehemently opposes the prayer for bail and submits that the deceased, before dying, named this appellant as one of the his assailants.

6. Considering the nature and gravity of accusation and dying declaration of the deceased, I do not find any ground to interfere with the order of the learned court below and as such, the appeal, which has been filed for grant of anticipatory bail, is hereby rejected.

(Prabhat Kumar Singh, J)

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