

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4811 of 2024

Arising Out of PS. Case No.-320 Year-2024 Thana- KOILWAR District- Bhojpur

Sunil Ray @ Sunil Kumar Yadav Son of Late Udit Lal Ray @ Udit Lal Yadav
Resident of Village - Kajichak, P.S. - Koilwar, District - Bhojpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Nand Lal Nat Son of Late Bhola Nat Resident of Village - Chhotaka Chanda, P.S. - Koilwar, District - Bhojpur

... .. Respondent/s

Appearance :

For the Appellant	:	Ms. Malti Kumari, Advocate
For the State	:	Mr. Binay Krishna, Spl.PP
For the Informant	:	N o n e

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 02-04-2026 Heard learned counsel appearing for the appellant and learned Special Public Prosecutor appearing for the respondent-State.

2. Despite filing *Vakalatnama*, no body appears on behalf of the informant/Respondent No. 2.

3. This appeal has been filed for setting aside order dated 27.09.2024 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Bhojpur at Ara in a case registered for the offence punishable under Section 105 of the B.N.S. and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby the



prayer for grant of anticipatory bail to the appellant has been rejected.

4. The prosecution case, in brief, is that on 09.08.2024 at about 4 PM, informant had gone to the clinic of this appellant for treatment of his wife where this appellant injected some medicines to his wife due to which her condition deteriorated and while being taken to Koilwar Hospital, she died.

5. It is submitted by learned counsel appearing on behalf of the appellant that appellant is quite innocent and has committed no offence. From bare perusal of the F.I.R. it is apparent that there is absolutely no allegation of abuse by caste name against this appellant and as such, no case under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against this appellant. Appellant claims clean antecedents.

6. On the other hand, learned Spl. P.P. appearing for the respondent-State has opposed the prayer for grant of anticipatory bail to the appellant and submitted that appellant is named in the F.I.R. and there is specific accusation that without having knowledge and requisite qualification, this appellant



injected wife of informant with some medicines as a result of which, she died while being taken to Koilwar Hospital.

7. Considering the facts and circumstances of the case and specific and direct nature of accusation, appellant’s prayer for grant of pre-arrest bail is rejected and this appeal is, accordingly, dismissed.

(Prabhat Kumar Singh, J)

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