

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.428 of 2019

Arising Out of PS. Case No.-219 Year-2018 Thana- BIRAUL District- Darbhanga

AYODHI MUKHIYA son fo Bekal Mukhiya @ Vekal Mukhiya, resident of
village Mohammadpur Boari, P.S. Biraul, District Darbhanga.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Girish Chandra Jha
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 06-02-2019

By way of this memo of appeal, preferred under
Section 14(A) of the Scheduled Caste/Scheduled Tribes
(Prevention of Atrocities) Act, 1989, appellant seeks for setting
aside the order dated 3.1.2019 passed in ABP No.1884 of 2018 for
the offences punishable under Sections 342, 323, 379 and 504 of
the Indian Penal Code and Section 3(i)(r)(s) of SC/ST
(Prevention of Atrocities) Act by the learned 1st Additional
Sessions Judge cum Special Judge (SC/ST POA) Act, Darbhanga
whereby and where-under, the appellant's application for grant of
anticipatory bail has been rejected.

Allegation against the appellant who is allegedly
middleman of Sankat Mochan Enterprises, Samastipur is that when
the informant made complaint about the quality of the pipeline he



became annoyed and abused him by caste name and also demanded Rs.10,00,000/- .

Submission of the learned counsel for the appellant is that he is neither middleman of Sankat Mochan Enterprises, Samastipur nor contractor as such he has been falsely implicated in this case.

Heard learned Special P.P., who has opposed the prayer for bail stating that the appellant was assaulted and abused on the road and the same has been found true in the investigation also and the charge-sheet has been submitted..

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant privilege of the anticipatory bail rather the appellant surrender before the learned court below within a period of six weeks from the date of receipt of the order and make prayer for regular bail which shall be considered on its own merit without being prejudiced by the order of this Court and if possible to be disposed of on the same day.

(Vinod Kumar Sinha, J)

chn/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	7.2.2019
Transmission Date	7.2.2019

