

**IN THE HIGH COURT OF JUDICATURE AT
PATNA
CRIMINAL APPEAL (SJ) No.1156 of 2019**

Arising Out of PS. Case No.-277 Year-2018 Thana- MANJHI District-
Saran

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1. NAURATAN KUMAR PRASAD @ SANTOSH PAHALWAN S/o L
Raja Ram Prasad R/o village- Choubah Asthan (Kanchan Pur), P.S.- Man
District- Saran at Chapra
 2. Dhananjay Prasad @ Dhanjee Prasad S/o Late Dharichhan Prasad
village- Choubah Asthan (Kanchan Pur), P.S.- Manjhi, District- Saran
Chapra
 3. Aman Raj @ Aman Raj Gupta @ Prince Kumar S/o Arun Kumar Prasad
village- Choubah Asthan (Kanchan Pur), P.S.- Manjhi, District- Saran
Chapra

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ram Binod Singh, Advocate
For the Respondent/s : Mr.Binay Krishna, Spl.P.P..

**CORAM: HONOURABLE MR. JUSTICE VINOD
KUMAR SINHA
ORAL JUDGMENT
Date : 04-04-2019**

Heard the parties.

The appellants seek anticipatory bail in connection with
Manjhia P.S.Case No. 277 of 2018, registered under Sections 341, 323,
324, 504, 506/34 of the I.P.C. and Sections 3 (1) (r) 3(2) of SC/ST
Atrocities Act.

Allegation as per the F.I.R. against the appellant No.1 is of
stabbing the informant, causing injury on the informant and he is an



accused in three other cases. So far as allegation against other accused persons is of abusing by his caste name and assaulting the informant.

Submission of the learned counsel for the appellants is that they have falsely been implicated and the appellant No.1 is the Mukhiya of the Gram Panchayat, Manjhi lodged a case prior to that case against the son of the informant, who is a Ward Member and due to that, the present case has been lodged and further submitted that he is in habit of lodging the false case and the injury report which has been issued after two months of the occurrence.

Heard learned A.P.P. who opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances as discussed above, let the appellant Nos. 2 and 3 are concerned, in the event of their arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand)each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Saran at Chapra in connection with A.B.P. No. 4244 of 2018 (Manjhi) P.S.Case No. 277 of 2018, subject to the condition that as laid down under Section 438 (2) of the Code of Criminal procedure with conditions that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.



So far as the case of the petitioner No. 1 is concerned, I am not inclined to grant bail to the petitioner, Accordingly, prayer of anticipatory bail is rejected with a direction to the petitioner that if the petitioner surrender before the court below within a period of six weeks from the date of order and make prayer for regular bail, which will be considered by the learned court below on its own merit without being prejudiced by this order of this Court, if possible on same day.

This appeal is accordingly disposed of.

(Vinod Kumar Sinha, J)

sudha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11.04.2019
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