

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1316 of 2019

Arising Out of PS. Case No.-28 Year-2019 Thana- AGAMKUAN District- Patna

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Adil Rajput @ Bala @ Adarsh Balajee Son of Sanjeev Kumar Singh @ Sanjiv Gope Resident of Mohalla - F-54/B, Anand Vihar Colony, P.O. Bahadurpur Housing Colony, P.S.- Agamkuan, Bahadurpur housing Colony Bhootnath road, Kankarbagh, Distt - Patna.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar Pandey
For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

4 02-07-2019 Heard learned counsel for the appellant and learned Special Public Prosecutor for the State.

The appellant seeks pre-arrest bail in connection with Agamkuan P.S. Case No.28 of 2019 registered under Sections 341, 323, 147, 149, 307, 379, 504 & 506 of the Indian Penal Code and Section 3 (i) (r) of the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act, 1989.

Appellant along with 16 other accused persons are said to have assaulted the informant by means of leg, fist and brick bat.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. As appellant happens to be a student of B.A. hence to spoil his career he has



been falsely implicated in the case. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Appellant has no criminal antecedent.

Learned Spl. PP for the State opposing the prayer for bail submitted that the victim has sustained altogether three lacerated injury on his head though all are simple in nature, hence the appellant does not deserve bail as in such circumstances anticipatory bail is barred under Section 18 of the SC/ST Act.

Considering the facts and circumstances of case, I am not inclined to enlarge the appellant on bail. The prayer for anticipatory bail of the appellant is hereby rejected. However, the appellant is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order on the date of surrender.

Accordingly, this appeal is dismissed.

Trivedi/-

(Prakash Chandra Jaiswal, J)

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