

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4739 of 2018

Arising Out of PS. Case No.-248 Year-2018 Thana- MANIYARI District- Muzaffarpur

1. Dinesh Rai @ Dinesh Kumar, S/o Kishori Rai, resident of Vill.- Madhopur Susta, P.S.- Maniyari, District- Muzaffarpur.
2. Md. Ushman @ Md. Usman @ Md. Unman Nadaf, S/o Md. Jan, R/o Vill.- Chakbhikkhi, P.S.- Maniyari, District- Muzaffarpur.

... .. Appellants

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Ashok Kumar Jha, Advocate
For the Respondent/s : Mr.Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 04-02-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 25.9.2018 passed by 11th. Additional Sessions Judge-cum-Special Judge, SC/ST Act, Muzaffarpur, in A.B.P. No.2954 of 2018 by which learned Sessions Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Maniyari P.S.Case No. 248 of 2018, registered under Sections 341, 323, 504, 34 of the Indian Penal Code and Sections 3(i)(r) & 3(i)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellants is of abusing the informant by taking caste name and also refusing to take Prasad from him.

Submission of learned counsel for the appellants is that they are members of Ward Councilor and they raised grievance against the informant, who is Mukhiya and for that the present false case has been lodged against them.



Heard learned Special P.P. and learned counsel for the informant.
They have opposed the prayer for anticipatory bail on the ground that there is specific allegation of assault and abuse against them.

Having heard both sides and in the facts and circumstances, as stated above, this appeal is disposed of with a direction to the appellants to surrender within a period of six weeks from the receipt of this order and pray for regular bail, which shall be considered on the basis of materials available on record, without being prejudiced by this order and, if possible, to be disposed of on the same day.

(Vinod Kumar Sinha, J)

spal/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

