

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2266 of 2019

Arising Out of PS. Case No.-189 Year-2019 Thana- BIHARSHARIF District- Nalanda

1. MANOJ VERMA @ MUNNA VERMA @ MANOJ KUMAR VERMA Son of Late Raja Ram Verma Resident of Mohalla - Neemganj, P.S.- Bihar, District- Nalanda
2. Vishal Kumar Verma @ Vishal Kumar Son of Manoj Verma @ Munna Verma @ Manoj Kumar Verma Resident of Mohalla - Neemganj, P.S.- Bihar, District- Nalanda
3. Raj Kumar Verma Son of Manoj Verma @ Munna Verma @ Manoj Kumar Verma Resident of Mohalla - Neemganj, P.S.- Bihar, District- Nalanda
4. Vishnu Kumar Verma @ Vishnu Kumar Son of Manoj Verma @ Munna Verma @ Manoj Kumar Verma Resident of Mohalla - Neemganj, P.S.- Bihar, District- Nalanda

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Samir Kumar Bharti
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

3 12-07-2019 Heard learned counsel for the appellants and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST Act against the refusal of prayer for anticipatory bail vide order dated 11.04.2019 passed by learned 1st Addl. Sessions Judge, Nalanda at Biharsharif in Bihar P.S. Case No. 189 of 2019 registered under Sections 341, 342, 323, 325, 504, 506 and 379 of the Indian Penal Code and Section 3(1)(r)(s) of the SC/ST Act.



Informant is said to have performed inter caste marriage with the daughter of the appellant no.1. Later on appellants abducted his wife regarding which informant has lodged a case against the appellants and peeved with the aforesaid act of the informant, all the accused persons assaulted the informant by means of lathi and danda and snatched his mobile.

It is submitted by learned counsel for the appellants that no such occurrence as alleged ever took place. Appellants have been falsely implicated in the case as the informant had kidnapped the daughter of the appellant no.1 and for the said kidnapping appellant no.1 has lodged a case against the informant and in order to mount pressure upon the appellants, informant has lodged this false and frivolous case against the appellants. The allegation levelled against the appellants is not specific rather general and omnibus in nature. Informant has not sustained any injury in the occurrence. Barring the case lodged by the informant against the appellants, they have no other criminal antecedent.

Learned Spl. PP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the



case, let the above named appellants, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 189 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Accordingly, the impugned order is set aside and appeal is allowed.

(Prakash Chandra Jaiswal, J)

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