

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4409 of 2018

Arising Out of PS. Case No.-130 Year-2018 Thana- CHENARI District- Rohtas

=====

Pankaj Mishra @ Pankaj Kumar, Son of Sri Ram Updesh Mishra, @ Ram Udesb Mishra, Resident at Mohalla-New Hatta, POlice Station-Chenari, District-Rohtas.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Upendra Kumar Singh

For the Respondent/s : Mr.Smt Usha Kumari No-1

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-01-2019 By way of this memo of appeal, preferred under Section 14(A)(2) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities)Act, 2016, appellants seek for setting aside the order dated 15.09.2018, passed in Chenari P.S. Case No. 130 of 2018 for the offences punishable under Sections 147, 148, 149, 302, 120(B) of the Indian Penal Code and Section 3(ii)(V) of SC/ST Act, by the learned 1st Additional Sessions Judge – cum- Special Judge SC/ST Act, Rohtas, whereby and whereunder, appellants’ application for grant of anticipatory bail has been rejected.

Allegation against the appellant that he along with other co-accused persons killed the brother of the informant.

It has been submitted on behalf of the appellant that no



specific allegation has been attributed to the appellants and in fact the deceased died due to accident as his motorcycle was also found in damaged condition but the informant out of previous enmity roped the petitioner in the instant case.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case and the nature of allegation, I am not inclined to grant the privilege of pre-arrest bail to the appellant, let petitioner surrender before the court below and pray for regular bail, which will be disposed of by the court below on the merit of the case, without being prejudiced by the order of this Court.

Accordingly, this appeal is dismissed.

(Vinod Kumar Sinha, J)

sunilkumar/-

U		T	
---	--	---	--

