

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3384 of 2019

Arising Out of PS. Case No.-169 Year-2018 Thana- MANPUR District- Nalanda

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Pramod Raut, male, aged about 39 years, Son of Dev Sharan Mahto, Resident of Village - Sinthu (Singthu), P.S.- Manpur, District- Nalanda (Bihar).

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Raj Kishor Prasad, Adv.

For the Respondent/s : Ms. Usha Kumari 1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 20-11-2019 Heard the counsel for the parties.

The appellant has challenged the order dated 25.03.2019 passed by the learned 1st Addl. Sessions Judge, Nalanda at Biharsharif in A.B.P. No. 246 of 2019 in connection with Manpur P.S. Case No. 169 of 2018, instituted for the offences under Sections 147, 148, 149, 337, 338 and 504 of the Indian Penal Code and Sections 3(1)(r)(s) and 3(2)(Va) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby the prayer made on behalf of the appellant for grant of anticipatory bail has been rejected.



It has been alleged in the F.I.R. that the informant, while showing the house of one Navneet Kumar to the police party, was attacked by bricks and later was also fired at which hit him in his stomach. Though the appellant has been named in the F.I.R. along with other accused persons, but there is no definite and particular accusation against him.

It has been submitted on behalf of the appellant that he has been made accused in this case because he has sympathies with aforesaid Navneet Kumar.

However, from the records of this appeal, it appears that the trial of the case has begun. It further appears that there is no statement in the appeal or in the order impugned, indicating whether the appellant has surrendered to the process of law.

Considering the aforesaid aspect of the matter, I am not inclined to allow this appeal.

The prayer made in this appeal for setting-aside the order dated 25.03.2019 is, hereby, rejected.

However, if the appellant surrenders before the Court below and prays for bail, the same shall be considered



by the Court below on its own merits, without being prejudiced by the fact that the present appeal has not been entertained by this Court.

The appeal is dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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