

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3528 of 2019

Arising Out of PS. Case No.-43 Year-2017 Thana- ISUAPUR District- Saran

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Mankhushi Singh Son of Kanhaiya Singh Resident of Village - Ramchaura,
P.S.- Isuapur, Distt - Saran at Chapra.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

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

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

4 21-10-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act against the refusal of prayer of anticipatory bail
vide order dated 29.03.2019 passed by learned 1st Addl. Sessions
Judge, Saran at Chapra in Isuapur P.S. Case No. 43 of 2017
registered under Sections 380, 323, 452 of the Indian Penal
Code and Section 3 of Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act.

Appellant along with two other named accused
persons arriving at the shop of the informant slated him in the
name of his caste and assaulted him dragging on the road from



his shop over not according them medicine on credit while co-accused Kanhiya Singh took out sale proceed of Rs. 11,673/- from his shop.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in this case under the influence of local Mukhiya, who is having grudge with the appellant. Informant has not sustained any injury in the occurrence. Independent witnesses have not supported the occurrence of slating the informant in the name of his caste and assaulting him by the appellant rather simply stated that there was some altercation between the parties over purchasing the medicine on credit. Appellant has no criminal antecedent.

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

In the facts and circumstances of the case, let the above named appellant be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge, Saran at Chapra in Isuapur P.S. Case No. 43 of 2017, 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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