

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3559 of 2018

Arising Out of PS. Case No.-255 Year-2018 Thana- JAGDISHPUR District- Bhagalpur

Pawan Sharma son of Late Dilip Sharma resident of village - Jagdishpur,
Sharma Tola, Kali Asthan, P.S. Jagdishpur, District - Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vivekanand Vivek
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 04-01-2019 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 26.09.2018, passed in Jagdishpur P.S. Case No. 255 of 2018 for the offences punishable under Sections 341, 323, 427, 353, 504, 506/34 of the Indian Penal Code and Section 3(i)(r)(s)/3(2)(va) of SC/ST Act, by the learned 3rd Additional District & Sessions Judge- cum-Special Judge (SC/ST) Act, Bhagalpur, whereby and whereunder, appellant's application for grant of anticipatory bail has been rejected.

Allegation against the appellant and others is of creating nuisance in the office of Jagdishpur Power Sub Station and abusing the informant by caste name and also assaulting



him and further they also torn the papers in the office.

It has been submitted on behalf of the appellant that no such occurrence has ever taken place rather he has gone to make complain with regard to frequent power cut, in which, exchange of hot words took place between the appellant and the informant and allegation of assault and abusing the informant is false and concocted.

Learned Special P.P. opposed the prayer for bail and submitted that the witnesses during the course of investigation has supported the allegation levelled against the appellant.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant the privilege of anticipatory bail to the appellants, however, this appeal is disposed of with direction to the appellants to surrender before the court below and pray for regular bail and if any such application is filed, the court below shall dispose of the same on merit of the case, if possible on same day, without being prejudiced by the order of this Court

(Vinod Kumar Sinha, J)

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