

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3612 of 2019**

Arising Out of PS. Case No.-3 Year-2019 Thana- UPHARA District- Aurangabad

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Munna Pandey Son of Lalan Pandey Resident of Village - Uphara, P.S.-
Uphara, District - Aurangabad.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Leelawati Kumari
For the Respondent/s : Mr. Sadanand Paswan

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

ORAL ORDER

2 30-08-2019 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 31.07.2019 passed by learned 1st Addl. Sessions
Judge cum Special Judge, SC/ST Act, Aurangabad in Uphara
P.S. Case No. 3 of 2019 registered under Sections 341, 323, 379,
504, 506 of the Indian Penal Code and Sections 3(1)(r), 3(2)(va)
of the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.

Over not according the report of the measurement
of the land of the informant rather depositing it in the



Department by the informant, the appellant descending at his house slated him and assaulted on his head by means of lathi inflicting head injury to him and snatched his golden chain.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. As a matter of fact, the informant had taken the map of the appellant for the purpose of measurement of his land and after measurement of his land, when the appellant approached the informant to take his map, some altercation ensued between them, and due to aforesaid reason, the informant has lodged this false and frivolous case against the appellant. There is no allegation of slating the informant in the name of his caste against the appellant. Injury sustained by the informant is simple in nature. 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 cum



Special Judge, SC/ST Act, Aurangabad in Uphara P.S. Case No.
3 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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