

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4060 of 2019

Arising Out of PS. Case No.-12 Year-2019 Thana- SC/ST District- Jehanabad

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1. Vinod Sao Son of Kuldeep Sao Resident of Village - Pariyari Mathia, P.S.- Kinjar, District- Arwal
 2. Rohit Kumar Son of Rajesh Kumar Sao Resident of Village - Pariyari Mathia, P.S.- Kinjar, District- Arwal
 3. Rajesh Kumar Sao @ Rajesh Kumar Son of Kuldeep Sao Resident of Village - Pariyari Mathia, P.S.- Kinjar, District- Arwal

... .. Appellant/s

Versus

1. The State of Bihar
2. Dasrath Paswan Son of Sudeshwar Paswan Resident of Village - Madhusarwa Chouki, P.S.- Mehendiya, District- Arwal

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ranjay Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 28-11-2019 This appeal has been preferred for setting aside the order dated 14.08.2019 passed by learned Additional Sessions Judge-1st, Jehanabad in ABP No.778 of 2019 arising out of Arwal SC/ST P.S. Case No.12 of 2019 for the offences alleged under Sections 147, 149, 341, 323, 325, 307, 379, 504 and 506 of the Indian Penal Code and Sections 3(i)(r)(s) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.

It is alleged by the informant that while he was coming from his house to Kinjar Mandir for marriage of his niece he was dashed by a motorcycle on which the informant



asked the motorcyclist to drive carefully. It is alleged that the said motorcyclist started abusing the informant and when informant disclosed his name he was abused by his caste name and the said person called several other persons from the village who assaulted the informant and his family members causing injuries to all of them.

Learned counsel for the appellants submits that the alleged occurrence has taken place with some other persons and as the appellants were going to distribute marriage card of appellant no.2, over the said card the dispute arose but no injury has been caused on any vital part of the body and Section 307 of Indian Penal Code is not attracted.

Learned Spl. P.P. for the State has opposed the appeal. It is submitted that the independent witnesses have supported the allegations and the injury reports of the informant and the witnesses clearly show that they were assaulted in the alleged occurrence.

Considering the facts and circumstances of the case where there are allegations of assault against these appellants and it is evident from the injury reports that the appellants and the witnesses were assaulted causing injuries to them, this Court is not inclined to grant privilege of anticipatory bail to the



appellants. No fault may be found with the impugned order.

The appeal is thus dismissed.

(Rajeev Ranjan Prasad, J)

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