

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4712 of 2019

Arising Out of PS. Case No.-169 Year-2019 Thana- MANJHI District- Saran

1. RAJ BHAGAT Son of Harendra Bhagat Resident of Village- Mathanpura, P.S- Manjhi, District- Saran, Chapra.
2. Ravi Bhagat Son of Harendra Bhagat Resident of Village-Mathanpura, P.S- Manjhi, District-Saran, Chapra.
3. Harendra Bhagat @ Harendra Prasad Son of Late Rikhdeo Bhagat @ Rikhideo Pd Resident of Village-Mathanpura, P.S-Manjhi, District-Saran, Chapra.
4. Anshu Bhagat Son of Madan Bhagat Resident of Village-Mathanpura, P.S- Manjhi, District-Saran, Chapra.
5. Molvi Ansari Son of Nezamuddin Ansari Resident of Village-Mathanpura, P.S-Manjhi, District-Saran, Chapra.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Maheshwar Prasad

For the Respondent/s : Mr.Usha Kumari I

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 12-12-2019 Heard the parties.

By way of this memo of appeal, preferred under Section 14(A) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellants seek for setting aside the order dated 21.9.2019 passed in Manjhi P.S.Case No.169 of 2019 dated 17.6.2019 for the offences punishable under Sections 341, 323, 504 of the Indian Penal Code and Section 3(r)(s) of SC/ST Act by the learned Addl. Sessions Judge Ist, Saran at Chhapra, whereby and where-under, the appellants' application for grant of anticipatory bail has been rejected.

As per FIR there is allegation against the appellants of abusing the informant and assaulted by *Talwar*,



Garasa and knife causing injury to him and there is further allegation that when the *Patidar* of the informant case they have also been abused by taking caste name.

Submission of the learned counsel for the appellants is that there is case and counter case between the parties and the informant does not belong to the scheduled caste . No specific allegation has been attributed against them and there is delay of 12 days .

Hard learned Special P.P. , who has opposed the prayer for bail on the ground that there is allegation against the appellants also..

Having heard both sides, considering the facts and circumstances of the case, this application is disposed of with direction to surrender and pray for regular bail, which will be considered on its own merit without being prejudiced by the order of this Court and if possible to be disposed of on the same day.

(Vinod Kumar Sinha, J)

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