

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4509 of 2019

Arising Out of PS. Case No.-226 Year-2019 Thana- GAURICHAK District- Patna

PRAMOD KUMAR SINGH @ PRAMOD SINGH @ PRAMODI SINGH
S/o Parma Nand Singh R/o Village- Salimpur Musahari (Lakhna), P.S.-
Gaurichak, District- Patna

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. Sinodh Manjhi S/o Rajesh Manjhi R/o village- Salimpur (Lakhna), P.S.-
Gaurichak, District- Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Rudra Deo
For the Respondent/s	:	Mr.Sadanand Paswan

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

ORAL ORDER

2 18-10-2019 Heard learned counsel for the appellant and learned
Spl. PP for the State.

This is an appeal under Section 14(A)(2) of the SC/ST
Act against the refusal of prayer for anticipatory bail vide order
dated 05.09.2019 passed by learned Addl. Sessions Judge-XX
cum Special Judge, SC/ST, Patna in Gaurichak P.S. Case No.
226 of 2019 registered under Sections 147, 149, 341, 323, 307,
506 of the Indian Penal Code and Section 3(i)(r)(s) of the SC/ST
Act.

While the informant was fishing at the government
pan, eight named accused persons including the appellant
descending there demanded fish and on refusal to oblige them



they assaulted him by means of lathi inflicting head injury to him. They also assaulted his family members when they rushed in his rescue.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. As a matter of fact, informant is indulged in illegal trade of liquor and appellant and other villagers have made complaint against him and due to aforesaid grudge informant has lodged this false and frivolous case against the appellant. The allegation levelled against the appellant is not specific rather general and omnibus in nature. None has sustained injury in the occurrence & there is no injury report on the record. Appellant has no criminal antecedent.

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

Having regard to 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) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-XX cum Special Judge, SC/ST, Patna in connection with



Gaurichak P.S. Case No. 226 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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