

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4387 of 2018

Arising Out of PS. Case No.-42 Year-2018 Thana- SC/ST District- Patna

Munna Prasad, Son of Suresh Prasad, resident of Village- Deokali, Police Station- Dhanarua, District- Patna.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Akhauri Kamal Kishore Sahay
For the Respondent/s : Mr.Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-01-2019 By way of this memo of appeal, preferred under Section 14(A)(2) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities)Act, 2016, appellant seeks for setting aside the order dated 26.10.2018, passed in SC/ST P.S. Case No. 42 of 2018 for the offences punishable under Sections 341, 323, 504, 506, 307/34 of the Indian Penal Code and Section 3(i)(r)/3(2(Va) of SC/ST Act, by the learned Additional District & Sessions Judge -IV – cum-Special Judge SC/ST Act, Patna, whereby and whereunder, appellant's application for grant of anticipatory bail has been rejected.

Allegation against the appellant and others is that they abused the informant by caste name and also assaulted him and there is specific allegation against the appellant that he



fired from his country made pistol, which passed through the ear of the informant.

It has been submitted on behalf of the appellant that no specific allegation has been attributed to the appellant and at best there is only allegation against the appellant that he assaulted the informant by means of fists and slaps.

Learned Special P.P. also opposed the prayer for bail and submitted that there is specific allegation against the appellant also of abusing the informant by caste name and assaulting him by fists and slaps and further there is also allegation against the appellant of firing.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant privilege of anticipatory bail to the appellant rather he should surrender before the court below and make prayer for regular bail, which will be considered by the court below on the merit of the case, without being prejudiced by the order of this Court.

Accordingly, this appeal is dismissed.

(Vinod Kumar Sinha, J)

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