

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1331 of 2020

Arising Out of PS. Case No.-48 Year-2020 Thana- BIHPUR District- Bhagalpur

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AMIT ANAND Son of Late Pawan Singh Resident of Village - Babhangama,
P.S.- Bihpur, District - Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Viveka Nandsingh
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-11-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The present memo of appeal has been filed for setting
aside the order dated 13.05.2020 passed by learned Additional
District and Sessions Judge III-cum-Special Judge (SC/ST Act),
Bhagalpur arising out of Bihpur P.S. Case No. 48 of 2020,
registered under Section 341, 323, 332, 333, 307, 353, 427, 448,
504, 506 and 34 of the Indian Penal Code and section 3(1)(r)(s)
of the SC/ST Act.

The informant is Circle Officer, Bihpur Circle, It is



alleged that on 08.02.2020 at 10.00 am, while he was working at his office, appellant along with other persons entered into his office and all of them asked that why measurement order was stayed by him. The informant tried to convince them that the land which they want to get measured is disputed one and title suit no. 57 of 2016 is pending and after disposal of the same measurement would be done. It is further alleged that this appellant caught hold of informant and thrashed him.

It is submitted on behalf of the appellant that he is innocent and has falsely been implicated. It is further submitted that one of the appellants has instituted a Complaint case against the informant in the court of Additional Chief Judicial Magistrate, Naugachia prior to this case and in that case appellant is witness. Section 307 IPC is not made out against this appellant and the allegation under SC/ST Act is also not made out. Appellant has got clean antecedent as stated in para 3 of the petition. No injury has been found on the person of informant as per injury report.

Counsel for the State vehemently opposed the bail and submitted that there is specific allegation of assault, causing hindrance in discharge of official duty and abusing by calling caste name against the appellant.



Considering the facts aforesaid, I am not inclined to
enlarge the appellant above-named on bail at this stage.
Accordingly, the same is rejected. Accordingly, the instant
appeal is rejected.

(Prabhat Kumar Singh, J)

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