

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1604 of 2020

Arising Out of PS. Case No.-74 Year-2020 Thana- GORIAKOTHI District- Siwan

MURARI KANT MISHRA S/o Late Ganga Sagar Mishra Resident of
Village-Sadipur, Police Station-Goreyakothi, District-Siwan.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Kumar Tiwary
For the Respondent/s : Ms. Usha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 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 30.06.2020 passed by learned Incharge 1st
Additional District and Sessions Judge-cum-Special Judge,
Siwan arising out of Goreyakothi P.S. Case No. 74 of 2020,
registered under Section 341, 323, 504, 506 and 34 of the Indian
Penal Code and section 3(i)(r)(s) of the SC/ST (Prevention of
Atrocities) Act.

The informant is Headmaster of the Higher Secondary
School, Sadipur, Goreyakothi. It is alleged that on 22.05.2020
while he was at his school, this appellant and others came there



and asked him to unlock the door of the school and on refusal, all the appellants including this appellant assaulted him and also abused him by calling his caste name.

It is submitted on behalf of the appellant that he is innocent and has falsely been implicated. There is general and omnibus allegation. The allegation under SC/ST Act is also not made out. Appellant has got clean antecedent as stated in para 3 of the petition.

Considering the facts aforesaid and the fact that there is specific allegation of assault against this appellant, I am not inclined to enlarge the appellant above-named on bail at this stage. Accordingly, this appeal is rejected.

(Prabhat Kumar Singh, J)

vinita/-

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