

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3911 of 2019

Arising Out of PS. Case No.-29 Year-2019 Thana- SUGAULI District- East Champaran

1. MANI BHUSHAN KUMAR @ MANI BHUSHAN SAH Son of Darpan Sah Resident of Village - Chhapra Bahas, P.S.- Sugali, Distt - East Champaran.
2. Darpan Sah Son of Late Indrajit Sah Resident of Village - Chhapra Bahas, P.S.- Sugali, Distt - East Champaran.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dhurendra Kumar

For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-01-2020 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, appellant seeks for setting aside the order dated 11.7.2019 passed in Sugauli P.S.Case No.29 of 2019 for the offences punishable under Section 323, 420, 467, 406, 468, 371 and 120(B)/34 of the Indian Penal Code and Section 3(i) 7(5) of SC/ST Act by the learned Ist Addl. Sessions Judge cum Special Judge SC/ST Act, East Champaran at Motihari whereby and where-under, the appellant's application for grant of anticipatory bail has been rejected.

As per FIR, the informant got Rs.20 lac as compensation in the land acquisition case. It is said that the appellants have got transferred Rs.02 lac in his account by committing fraud from the account of informant.



Submission of the learned counsel for the appellants is that as a matter of fact the appellant had given Rs.02 lac to the informant for construction of his house and that has been transferred to his account and he has been falsely implicated in this case.

Heard learned Special P.P. also, who has opposed the prayer for bail stating that the appellants by playing fraud has got transferred the amount from the account of the informant, which he had got in the land acquisition case. There is also allegation of abuse and other allegation also, as such they do not deserve anticipatory bail.

Having heard both sides, considering the facts and circumstances of the case, I am not inclined to grant privilege of anticipatory bail to the appellants and they have to surrender and pray for regular bail, which will be considered on its own merit without being prejudiced by the order of this Court.

With the above direction, this appeal is dismissed.

(Vinod Kumar Sinha, J)

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