

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1953 of 2020**

Arising Out of PS. Case No.-223 Year-2018 Thana- PALASI District- Araria

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Santosh Kumar Jha @ Santosh Jha son of Jagarnath Jha Majlishipur, Police
Station-Palasi, District-Araria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Mukesh Kumar Rana
For the Respondent/s : Mr.A.G.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 25-01-2021 Heard learned counsel for the appellant and learned
Special P.P. for the State.

The present appeal has been filed against the order dated 30.06.2020 passed by learned 1st Additional Sessions Judge cum Special Judge, Araria in connection with Special (SC/ST) Case No. 86 of 2019 registered for the offences punishable under Sections 147/148/149/342/323/307/353/337/338 /504 /189/120B of the Indian Penal Code and Sections 3(i) (r) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants was rejected.

As per the FIR, 29 named and 3-4 hundred unknown persons including this appellant alleged to have attacked the police party with Lathi and Danda as a result of which, some of



the police official sustained injuries and also caused obstruction in discharge of official duty.

It is submitted on behalf of the appellant that there is general and omnibus allegation and, in fact, no one has sustained injury in the occurrence and the appellant has been falsely implicated in this case. It is further submitted that though named in the FIR, but the source of identification has not been disclosed. Petitioner has clean antecedent.

However, learned Special P.P. appearing on behalf of the State vehemently opposed the bail application and submitted that this appellant was leading the crowd as a result of which many police personnel sustained injuries on their persons including their head and also caused obstruction in discharge of official duty.

Considering the aforesaid facts and circumstances and since this appellant was leading the crowd, I am not inclined to grant bail to this petitioner. It is, accordingly, rejected.

(Prabhat Kumar Singh, J)

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