

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.295 of 2021

Arising Out of PS. Case No.-572 Year-2019 Thana- KUDHNI District- Muzaffarpur

1. RAJDEO BHAGAT, Son of American Bhagat Resident of Village- Ladaura, P.S.- Kudhani, District- Muzaffarpur.
2. Chandan Kumar @ Patrakar Chandan Kumar, Son of American Bhagat Resident of Village- Ladaura, P.S.- Kudhani, District- Muzaffarpur.
3. Gaorav Kumar, Son of American Bhagat Resident of Village- Ladaura, P.S.- Kudhani, District- Muzaffarpur.
4. American Bhagat, Son of Late Tulsi Bhagat Resident of Village- Ladaura, P.S.- Kudhani, District- Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Indrajeet Bhushan

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 25-06-2021 Heard Mr. Indrajeet Bhushan, learned counsel

for the appellants and Mr. Sadanand Paswan, learned

Special Public Prosecutor for the State.

This appeal is directed against the order dated

27.06.2020, passed by the learned 9th Additional

Sessions Judge – cum – Special Judge (SC / ST) Act,

Muzaffarpur in A.B.P. No. 278 of 2020, arising out of

Kudhani (Turki OP) P. S. Case No. 572 of 2019,

whereby the prayer made on behalf of the appellants for



grant of anticipatory bail for the offences punishable under Sections 341, 323, 307, 379, 504 and 34 of the Indian Penal Code and Section 3 (i)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been rejected.

At the outset, learned advocate for the appellants has stated that there has been a delay of six (6) days in preferring this appeal and, therefore, he has preferred an application for condonation of delay.

For the reasons stated in the application, the delay is condoned.

The condonation application is allowed.

It has further been submitted on behalf of the appellants that during the investigation of this case, the appellants were on police bail and have never misused the privilege of bail.

In that view of the matter, the present appeal is disposed off with a direction that if the appellants surrender before the court below and seek bail, the court



below shall consider the entire set of facts including the fact that the appellants were on police bail and had not misused the privilege of bail during that period and shall pass orders in accordance with law, without being prejudiced by the fact that the present petition on their behalf has not been entertained by this Court.

The appeal stands disposed off.

(Ashutosh Kumar, J)

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