

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2194 of 2020

Arising Out of PS. Case No.-302 Year-2020 Thana- SURSAND District- Sitamarhi

Prem Shankar Thakur S/o Shri Ramchandra Thakur R/o village- Radhaur,
P.S.- Sursand, District- Sitamarhi

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Pravin Kumar, Advocate
For the State	:	Mr. Sadanand Paswan, Spl.P.P.
For the Informant	:	Mr. Dinesh Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

4 29-01-2021 Heard learned counsel for the appellant, learned
counsel for the State and learned counsel for the Informant.

This appeal has been filed against the order dated 27.11.2020 passed by learned 1st Additional District and Sessions Judge-cum-Special Judge (SC/ST Act), Sitamarhi in Sursand P.S. Case No. 302/2020, registered for the offence punishable under Sections 341, 323, 504, 506, 427, 379, 307/34 of the Indian Penal Code and Sections 3 (I) (r) (s) of SC/ST (Prevention of Atrocities) Act, by which the prayer of the appellant for grant of bail has been rejected.

In the FIR, there is specific allegation against the appellant is to have gave order to his associates to attack and also to have inflicted knife blow upon the neck of informant's



brother Sidharth Shankar with intention to kill him, however, counsel for the appellant submits that allegedly the appellant has caused the injury, which is simple in nature and there is case and counter case from both sides.

Counsel for the informant on the last occasion has pointed out that the appellant has criminal history, but in paragraph 3 of the appeal, the appellant has stated that he has no criminal antecedent and, in turn, counsel for the appellant made a prayer that he should be given time to verify the correctness of the statement of the informant, whereafter, counsel for the appellant has filed a supplementary affidavit and has stated that though he has criminal history but it was not a suppression of fact as the deponent was not knowledge of criminal antecedent of the appellant.

Looking to the entire facts and circumstances of the case, this Court is not inclined to grant bail to the appellant. Accordingly, the prayer for bail is rejected.

This appeal is dismissed for the present.

(Shivaji Pandey, J)

V.K.Pandey/-

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