

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4147 of 2021

Arising Out of PS. Case No.-227 Year-2019 Thana- SARAN COMPLAINT CASE District-
Saran

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1. GUPTESHWAR THAKUR S/o Makeswar Thakur Resident of Village - Pithaghat, P.S. Garkha, Dist. - Saran at Chapra.
 2. Jai Prakash Thakur S/O Late Ram Ekbal Thakur Resident of Village - Pithaghat, P.S. Garkha, Dist. - Saran at Chapra.
 3. Karan Kumar Thakur S/O Gupteshwar Thakur Resident of Village - Pithaghat, P.S. Garkha, Dist. - Saran at Chapra.
 4. Om Prakash Thakur S/O Late Ram Ekbal Thakur Resident of Village - Pithaghat, P.S. Garkha, Dist. - Saran at Chapra.

... .. Appellant/s

Versus

The State of Bihar

.. ... Respondent/s

Appearance :

For the Appellant/s : Mr.Maheshwar Prasad
For the Respondent/s : Mr.Usha Kumari I

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 08-09-2022 Heard learned counsel for the appellants, learned
counsel for the complainant and learned Special Public
Prosecutor for the State.

The instant appeal has been filed by the appellants against the order dated 17.08.2021 passed by learned Additional Sessions Judge-First-Cum-Special Judge SC/ST (POA) Act, Saran at Chapra in ABA No. 1853/2021 whereby the prayer for bail of the appellant in connection with Complaint Case no. 227 of 2019 under Section 323 of the Indian Penal Code and section 3(i)(r)(s) of SC/ST (Prevention of Atrocities Act) Act was rejected.



Allegation against the appellants is of abusing and assaulting the complainant. It is further alleged that on knife point, accused persons including the appellants snatched Rs. 10,000/ from the pocket of the complainant.

It is submitted by learned counsel for the appellants that appellants have been falsely implicated in this case due to dirty village politics. The present case is counter blast of Garkha P.S. Case no. 355 of 2019 lodged by appellant no.1 against the complainant and only with a view to save the skin from that case, the present case has been lodged with false and concocted story. The appellants have no intention to disgrace the image of the complainant in public view.

The application for bail is opposed by learned Spl. P.P. for the State and learned counsel for the complainant. They have submitted that cognizance have been taken by the learned court below after finding the case true against the appellants.

Having heard learned counsel for the parties and taking into consideration the fact that cognizance has been taken against the appellants after finding the case prima-facie true against them. I do not find it appropriate to grant anticipatory bail to the appellants and, as such, their prayer for anticipatory



bail is rejected.

The application stands disposed off.

However, if the appellants surrender within a period of six weeks and pray for bail, the same shall be considered by the court below.

(Sunil Kumar Panwar, J)

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