

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2647 of 2023

Arising Out of PS. Case No.-55 Year-2023 Thana- BUXAR INDUSTRIAL District- Buxar

1. NILU MISHRA @ CHANDAN MISHRA Son of Mukteshwar Mishra
Resident of Barkagaun, Mansingh Patti, Barkagaun, P.S. - Buxar, Bihar
2. Umesh Mishra Son of Late Shree Kishun Mishra Resident of Barkagaun,
Mansingh Patti, Barkagaun, P.S. - Buxar, Bihar

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Mayuri , Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-08-2023

Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 10.05.2023 , passed in a case registered for the offence punishable under sections 341, 323, 307, 504 , 506/ 34 of the Indian Penal Code 1860 and sections 3(i)(r)(s) and 3(2)(v) of the Scheduled Castes and Scheduled Tribes Act, whereby the prayer for anticipatory bail of the appellant has been rejected.

3. As per the prosecution case these appellants along with two other persons assaulted and abused the informant by caste name. It is further alleged that appellant No. 1 shot fire which hit the informant.

4. It is submitted on behalf of the appellant that he



has falsely been implicated in this false and fabricated case with an ulterior motive. Allegation of assault is general and omnibus in nature.

5 . However, learned counsel for the opposite party oppose the bail petition and submitted that petitioner number 1 has got three criminal antecedent of similar nature and appellant number 2 Umesh Mishra has abused the informant by caste name and has got one criminal antecedent.

6. Considering the accusation and criminal antecedents of appellants, prayer for pre-arrest bail application is hereby rejected.

(Prabhat Kumar Singh, J)

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