

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1565 of 2017

Arising Out of PS.Case No. -42 Year- 2014 Thana -PIPRASI District-
WESTCHAMPARAN(BETTIAH)

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1. Rajendra @ Rajendra Bin son of Kamal
2. Janardhan @ Janardhan Bin son of Kamal
3. Bipin @ Bipin Bin son of Harihar Bhagat All are residents of village -
Bairi Asthan, Police Station - Piprasi, District - West Champaran.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Brij Kishor Mishra, Adv.

For the Respondent/s : Mrs. Usha Kumari No-1, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 22-05-2017 Heard both sides.

The appeal is for grant of anticipatory bail to the appellants in Piprasi P.S. Case No. 42/2014, registered for the offences punishable under Sections 147, 341, 323 and 506 of the Indian Penal Code and sections 3(i)(x) of the S.C./S.T. Act.

The informant alleged that the appellants dashed the bullock-kart from tractor causing injury to ox. On protest, the informant was also assaulted by them.

It is submitted that the appellants did not know that the informant belongs to Scheduled Caste. It was a sheer accident in which the tractor on account of some mechanical fault dashed



the bullock-kart.

Learned counsel for the respondent submitted that the anticipatory bail is not maintainable. On the face of it, it appears that on account of accident, occurrence took place and this case has been lodged.

Considering the facts aforesaid and nature of allegation made against the appellants the appeal is allowed, the appellants, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate, Bagaha, West Champaran in connection with Piprasi P.S. Case No. 42/2014 corresponding to Trial no. 4375/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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