

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.629 of 2019

Arising Out of PS. Case No.-1217 Year-2018 Thana- AHIYAPUR District- Muzaffarpur

1. Santosh Kumar,
2. Manohar Ray @ Manohar Kumar Yadav @ Manohar Prasad Yadav

Both sons of Late Rambabu Ray, Resident of Village - Bara Jagarnath, P.S-
Ahiyapur, Dist-Muzaffarpur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajeev Ranjan No.II
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 11-03-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 16.01.2019 passed by the learned Addl. Sessions Judge-11th - cum-Special Judge, SC/ST Act, Muzaffarpur in ABP No. 3951 of 2018 arising out of Ahiyapur P.S.Case No. 1217 of 2018 registered under Sections 323, 341, 379, 504 and 506 of the Indian penal Code and Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is that they abused the infroamtn and also tried to dispossess from her land and there is allegation of assault against other accused persons.

Submission of learned counsel for the appellants is that



dispute is upon the Khatiyani land of the appellants on which appellant has constructed a boundary wall due to which some altercation took place and thereafter a case has also been lodged by the appellants’ side.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-11th- cum-Special Judge, SC/ST Act, Muzaffarpur in ABP No. 3951 of 2018 arising out of Ahiyapur P.S.Case No. 1217 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the appeal is allowed and the impugned order is set aside with respect to them.

(Vinod Kumar Sinha, J)

suji/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

