

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.703 of 2019

Arising Out of PS. Case No.-3 Year-2019 Thana- SC/ST District- Buxar

SURESH GUPTA Son of Late Dwarika Prasad Resident of Mohalla- Gola
Ghat Buxar, Ward No. 14, P.S.-Buxar Town, District- Buxar.

... .. Appellant/s

Versus

1. The State of Bihar AND ANR Bihar
2. Suk Vilas Ram Son of Sri Kapil Ram Resident of Civil Lines Buxar, Bari
Bazar near Chhoti Masjid, Ward No. 23, Buxar, P.S.- Buxar Town, District-
Buxar.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Jagdish Prasad
For the Respondent/s	:	Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 20-06-2019 Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been directed against the order dated 21.01.2019 passed by learned Additional Sessions Judge-1st, -cum- Special Judge, Buxar, in connection with Buxar (T) Sadar SC/ST P.S. Case No. 03 of 2019 registered under Sections 341, 323, 504, 379/34 of the Indian Penal Code and Section 3(i)(r) of SC/ST (POA) Act, whereby the prayer for pre-arrest bail of the appellant has been rejected.

Learned counsel appearing for the appellant submits that the appellant is innocent and has not committed any offence. In fact, the complaint case has been filed after lapse of



one month from the date of occurrence without explaining the plausible delay which create doubt over the prosecution version. Moreover, there is land dispute between the parties. Hence, the appellant may be granted the privilege of pre-arrest bail.

Considering the facts and circumstances of the case, let the above named appellants in the event of their surrender within a period of four weeks be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-1st, -cum- Special Judge, Buxar, in connection with Buxar (T) Sadar SC/ST P.S. Case No. 03 of 2019 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

Accordingly, this appeal is allowed and the impugned order is set aside.

(Arvind Srivastava, J)

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