

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.678 of 2019

Arising Out of PS. Case No.-29 Year-2017 Thana- SC/ST District- Rohtas

1. Sohan Lal Teli @ Sohan Lal Gupta, son of late Bhikhar Teli.
2. Tunu Mallah @ Lalan Choudhary, son of late Ram Chandra Mallah.
Both are the residents of village- Kachhawa (Kachhawa), P.S.- Kachhawa,
District- Rohtas.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dhaneshwar Prasad Gupta
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 28-02-2019

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 16.11.2018 passed by the learned Addl. Sessions Judge-I, Rohtas at Sasaram in connection with Registered Case No. 170 of 2017 arising out of SC/ST Dehri P.S.Case No. 29 of 2017 registered under Sections 147, 149, 323, 341, 504 and 506 of the Indian penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants and seven other accused persons is that they variously armed abused the informant by taking caste name and assaulted by fist and slaps to the informant and also his son and daughter and they threatened him to leave the house.



Submission of learned counsel for the appellants is that nine accused persons have been named in the FIR including the appellants but no specific allegation has been attributed against them and the FIR itself shows that there is land dispute between the parties and injuries are found simple in nature.

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-I, Rohtas at Sasaram in connection with Registered Case No. 170 of 2017 arising out of SC/ST Dehri P.S.Case No. 29 of 2017; 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)

sujit/-

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CAV DATE	
Uploading Date	
Transmission Date	

