

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.824 of 2019

Arising Out of PS. Case No.-71 Year-2018 Thana- SAHIYARA District- Sitamarhi

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RAJ KUMAR JHA Son of Surendra Jha Resident of Village - Gulariya tola,
P.s.- Sahiyara, Distt.- Sitamarhi.

... .. Appellant/s

Versus

THE STATE OF BIHAR Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ashok Kumar Jha
For the Respondent/s : Mr.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 12-04-2019

Heard the parties.

The appellant is apprehending his arrest in connection with Sahiyara P.S.Case No.71 of 2018 , registered for offences punishable under Sections 341, 323, 324, 307, 506, 504, 379, 34 of the Indian Penal Code and Section 3(1)(r)(s) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellant is that he assaulted the informant and others and also took away 30 kg. fish and it further appears that the occurrence took place with respect to a pond.

Submission of the learned counsel for the appellant is that there is dispute between the parties with respect to ownership of the pond and there is case and counter case between the parties and also the delay of four days in lodging the FIR but considering the same the other accused persons have been granted privilege of anticipatory bail, vide judgment dated 22.02.2019 passed in Criminal Appeal (SJ) No.3999 of 2018 with Criminal Appeal (SJ) No.4196 of 2018.



Heard learned Spl.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellant, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Ist Addl. Sessions Judge cum Special Judge SC/ST Act, Sitamarhi in connection with Sahiyara P.S.Case No.71 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid observation, this appeal is allowed and the impugned order is set aside.

(Vinod Kumar Sinha, J)

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Transmission Date	

