

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.885 of 2019

Arising Out of PS. Case No.-316 Year-2014 Thana- MUFFASIL District- West Champaran

1. SUDAMA MUKHIYA AND ORS. Son of Nami Mukhiya Resident of Village-Dhumnagar, Purvi Tola, Police Station-Nautan, District-West Champaran.
2. Chandeshwar Mukhiya Son of Manglish Mukhiya Resident of Village-Dhumnagar, Purvi Tola, Police Station-Nautan, District-West Champaran.
3. Kanhai Mukhiya, Son of Banhu Mukhiya Resident of Village-Dhumnagar, Purvi Tola, Police Station-Nautan, District-West Champaran.
4. Santosh Mukhiya Son of Banhu Mukhiya Resident of Village-Dhumnagar, Purvi Tola, Police Station-Nautan, District-West Champaran.
5. Haruni Mukhiya, Son of Manshi Raut Resident of Village-Dhumnagar, Purvi Tola, Police Station-Nautan, District-West Champaran.
6. Chhabila Mukhiya Son of Chokat Mukhiya, Resident of Village-Pipra, Pakari, Police Station-Bettiah Mufasil, District-West Champaran.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar No 7
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT

Date : 20-05-2019

Heard learned counsel for the appellants and
learned Spl. P.P. for the State.

The appellants seek pre-arrest bail in connection
with Bettiah Muffasil P.S. Case No. 316 of 2014 registered
under Sections 448, 341, 323, 379, 504, 506, 436, 34 of the
Indian Penal Code and Section 3(i) (x) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act.
Later on, section 3(r) of the SC/ST Act was added.

Submission of learned counsel for the appellants



is that the appellants have clean antecedent. They are innocent. On perusal of the Annexure-3, it appears that there was a land dispute between the parties, which was decided in favour of the appellants and their family members. Thereafter, only with a motive to put pressure, the present case has been lodged by the informant.

Having heard both sides and in the facts and circumstances of the case, let the above named appellants be released on bail, in the event of arrest or surrender, on furnishing bail bonds of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge-cum-Special Judge, West Champaran at Bettiah in connection with Bettiah Muffasil P.S. Case No. 316 of 2014, subject to the conditions as laid down under section 438(2) of Cr. P.C.

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

(Arvind Srivastava, J)

shailendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

