

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.941 of 2019**

Arising Out of PS. Case No.-189 Year-2018 Thana- BAIKUNTHPUR District- Gopalganj

1. SUNIL RAI @ SUNIL YADAV Son of Late Chhabila Rai Resident of Village- Varwa, P.S.- Baikunthpur, District- Gopalganj.
2. Vishal Rai @ Vishal Kumar Yadav Son of Sunil Rai
Both resident of Village- Varwa, P.S.- Baikunthpur, District- Gopalganj

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Naresh Chandra Verma
For the Respondent/s : Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT**

Date : 12-04-2019

Heard the parties.

The appellants are apprehending their arrest in connection with Baikunthpur P.S.Case no.189 of 2018 , registered for offences punishable under Sections 341, 323, 379, 427, 504/34 of the Indian Penal Code and Section 3(1)(iii)(xi) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellants is of trying to grab *Garmajarua* land, which was protested by the informant, on which he assaulted by fists and slaps and also abused by caste name as well as thrashed her on the ground.

Submission of the learned counsel for the appellants is that there is land dispute between the parties with respect to a piece of *garmajarua* land , due to which the appellants have been made accused in this case making false and ornamental allegation against them.



Heard learned Spl.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, 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) each with two sureties of the like amount each to the satisfaction of the learned Ist Addl. Sessions Judge-cum-Special Judge, SC/ST.Act, Gopalganj in connection with Baikunthpur P.S.Case No.189 of 2018 vide ABP No.2358 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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CAV DATE	
Uploading Date	
Transmission Date	

