

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1162 of 2019

Arising Out of PS. Case No.-59 Year-2018 Thana- SC/ST District- Patna

1. Ram Babu Mallah @ Ram Babu Choudhary
2. Dhanmanti Devi
3. Deepak Kumar

All residents of Baaskothi, IIT Hostel, Gate No.-93, P.O.- Digha
Ghat, District-Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Deovind Kumar Singh, Appellant
For the Respondent/s : Mr. Binay Krishna, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 04-04-2019

Heard the parties.

The appellants seek anticipatory bail in connection with SC/ST Case No. 59 of 2018, registered for offences punishable under Sections 448, 341, 323, 379, 504, 506/34 of the Indian Penal Code and under Sections 3(i) (r) of the SC/ST Atrocities Act.

The allegation as per the F.I.R. against the appellants is of encroaching the land of the informant for construction of Chajja and window, which was restrained by the informant upon which all the accused persons became violent and started assaulted with phatta and danda, causing injuries and they also abused with taking his caste name and one of the appellant No.1 snatched Rs.



5000/- from the pocket of the informant and also snatched golden chain from the wife of the informant.

Submission of the learned counsel for the appellants is that there is land dispute between the parties and a proceeding under Section 144 Cr.P.C. is also going on between the informant and the appellants regarding the possession of the land and the appellants have no criminal antecedents.

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 Special Judge, SC/ST, Patna in connection with SC/ST P.S. Case No. 59 of 2018, subject to condition as laid down under Section 438 of CR.P.C.

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

(Vinod Kumar Sinha, J)

sudha/-

AFR/NAFR	NAFR
CAV DATE	NA
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