

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1161 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- CHAUTHAM District- Khagaria

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1. Bakhera Singh Son of Bhatu Singh Resident of Village - Nawada, P.s.- Chautham, Distt.- Khagaria.
 2. Bashant Singh Son of Sirddeo Singh Resident of Village - Nirpur, P.s.- Chautham, Distt.- Khagaria.
 3. Rajesh Singh Son of Late Ganga Ram Singh Resident of Village - Nawada, P.s.- Chautham, Distt.- Khagaria.
 4. Nunumain Singh Son of Pokhaian Singh Resident of Village - Nirpur, P.s.- Chautham, Distt.- Khagaria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Binod Kumar

For the Respondent/s : Mrs.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 01-04-2019

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 18.02.2019 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, Khagaria in Special ABA (SC/ST) No. 09 of 2019 arising out of Chautham P.S.Case No. 13 of 2019 registered under Sections 147,148,149,436 and 504 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 appellant is of making indiscriminate firing and also setting the house of the informant on fire.

Submission of learned counsel for the appellants is that as a matter of fact land belongs to the appellant no. 3 Rajesh Kumar Singh, who has given the land on Sudbharana but on that land, informant and others have constructed his hut for which he made an application before the District Public Redressal Grievance Officer, Khagaria which was decided in favour of the appellant no. 3 and thereafter present case has been lodged with intention to pressurize the appellants.

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 1st Addl. Sessions Judge-cum-Special Judge, Khagaria in Special ABA (SC/ST) No. 09 of 2019 arising out of Chautham P.S. Case No. 13 of 2019; 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/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

