

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1427 of 2019

Arising Out of PS. Case No.-1136 Year-2015 Thana- COMPLAINT CASE District- Supaul

1. Anil Kumar @ Anil Chaudhary @ Bhushan Choudhary Son of Late Jagdish Chaudhary, Resident of Village-Jamuha, P.S-Pipra, District-Supaul.
2. Amar Kumar Deepak @ Amar Singh @ Amar Kumar Diwan, Son of Sri Arun Kumar, Resident of Village-Tetrahi Pipra, P.S-Pipra, District-Supaul.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ajay Kumar Thakur, Advocate. Mr.Nilesh Kumar
For the Respondent/s	:	Mr.Sadanand Prasad, Spl. PP.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 10-04-2019

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 13.03.2019 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, SC/ST Act, Supaul in ABP No. 189 of 2019 arising out of Complaint Case No. 1136C of 2015 registered under Sections 323, 341 and 417/34 of the Indian penal Code and Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellants is of trying to displaced the informant from the land and house.

Submission of learned counsel for the appellants is that



after investigation, the police submitted final form finding the case not true but on protest cognizance has been taken and the informant has purchased the land from 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, SC/ST Act, Supaul in ABP No. 189 of 2019 arising out of Complaint Case No. 1136C of 2015; 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	
CAV DATE	
Uploading Date	
Transmission Date	

