

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1657 of 2019

Arising Out of PS. Case No.-180 Year-2018 Thana- BAIRIYA District- West Champaran

1. RANGILA GADDI Son of Late Bhikhari Gaddi Resident of Village- Miyanpur, Tilangahi, P.S.- Bairiya, District- West Champaran.
2. Pappu Chaudhary Son of Late Nandlal Chaudhary Resident of Village- Miyanpur, Tilangahi, P.S.- Bairiya, District- West Champaran.
3. Bhairolal Chaudhary @ Bhairo Chaudhary @ BHAIKALAL KUMAR Son of Sri Mahesh Chaudhary Resident of Village- Miyanpur, Tilangahi, P.S.- Bairiya, District- West Champaran.
4. Prahlad Chaudhary Son of Sri Mahesh Chaudhary Resident of Village- Miyanpur, Tilangahi, P.S.- Bairiya, District- West Champaran.
5. Barhu Chaudhary Son of Mehilal Chaudhary Resident of Village- Miyanpur, Tilangahi, P.S.- Bairiya, District- West Champaran.
6. Santosh Chaudhary Son of Sri Dwarika Chaudhary Resident of Village- Miyanpur, Tilangahi, P.S.- Bairiya, District- West Champaran.
7. Prameshwar Chaudhary Son of Late Basdeo Chaudhary Resident of Village- Miyanpur, Tilangahi, P.S.- Bairiya, District- West Champaran.
8. Pradeep Chaudhary Son of Late Basdeo Chaudhary Resident of Village- Miyanpur, Tilangahi, P.S.- Bairiya, District- West Champaran.
9. Vijay Chaudhary Son of Sri Nanku Chaudhary Resident of Village- Miyanpur, Tilangahi, P.S.- Bairiya, District- West Champaran.
10. Achhelal Chaudhary son of Sri Nanku Chaudhary Resident of Village- Miyanpur, Tilangahi, P.S.- Bairiya, District- West Champaran.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT

Date : 22-05-2019

Heard learned counsel for the parties.

This appeal under Section 14A(2) of the
Scheduled Caste and Scheduled Tribes (Prevention of



Atrocities) Act, 1989 has been directed against the order dated 28.02.2019 passed by learned 1st Additional Sessions Judge -cum- Special Judge SC/ST Act, West Champaran, Bettiah in connection with Bairiya P.S. Case No. 180 of 2018 registered under Sections 143, 341, 323, 324, 307, 427, 379, 504, and 506/34 of the Indian Penal Code and Section 3(1) (r) and 3(2) (Va) of SC/ST (POA) Act, whereby the prayer for pre-arrest bail of the appellants has been rejected.

Learned counsel appearing for the appellants submits that the appellants, who are of clean antecedent, are innocent and have not committed any offence. In fact, the altercation took place between the parties in which both the parties have sustained injuries and for which case and counter case have been lodged by both the parties. Hence, the appellants may be granted the privilege of pre-arrest bail.

Considering the facts and circumstances of the case, let the above named appellants in the event of their surrender within a period of four weeks 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 1st Additional Sessions Judge-



Cum- Special Judge, West Champaran, Bettiah in connection with Bairiya P.S. Case No. 180 of 2018 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

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

(Arvind Srivastava, J)

brajesh/-

Uploading Date	
Transmission Date	

