

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1894 of 2019**

Arising Out of PS. Case No.-19 Year-2018 Thana- SC/ST District- Banka

1. BIDESHI CHOUDHARY @ BINDESHWARI PRASAD CHOUDHARY
AND ANR Son of Surya Mohan Choudhary Resident of Village - Gauripur,
P.S.- Banka, Distt - Banka.
2. Dablu Choudhary Son of Bideshi Choudhary @ Bindeshwari Prasad
Choudhary Resident of Village - Gauripur, P.S.- Banka, Distt - Banka.

... .. Appellant/s

Versus

THE STATE OF BIHAR Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. N.K. Agarwal, Sr. Adv.
	:	Mr.Arjun Prasad
	:	Mr. Ravi Ranjan Kumar Singh
For the Respondent/s	:	Mr.Sadanand Paswan,Sp. P.P.

**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT**

Date : 23-05-2019

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 10.04.2019 passed by learned Additional Sessions Judge- 1 Banka in connection with SC/ST Banka P.S. Case No. 19 of 2018 registered under Sections 147, 341, 323, 307, 504 and 506 of the Indian Penal Code and Section 3(1)(r)(w) of SC/ST (POA) Act, whereby the prayer for pre-arrest bail of the appellants has been rejected.

Learned senior counsel appearing for the appellants submits that the appellants are innocent and have not committed any offence. In fact, the parties have settled their dispute by way



of a compromise which is evident from Annexure-3. 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 Additional Sessions Judge-1, Banka in connection with SC/ST Banka P.S. Case No. 19 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	

