

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1878 of 2019

Arising Out of PS. Case No.-250 Year-2016 Thana- SIKARPUR District- West Champaran
=====

KHESARI PATEL Son of late Guli Patel Resident of Village - Kehunia, P.S.-
Shikarpur, Distt - West Champaran.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Brij Kishor Mishra

For the Respondent/s : Mr.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL JUDGMENT

Date : 13-05-2019

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 29.03.2019 passed by learned Additional Sessions Judge-1st -cum- Special Judge, West Champaran, Bettiah in connection with Shikarpur P.S. Case No. 250 of 2016 registered under Sections 341, 323, 504 and 34 of the Indian Penal Code and Section 3(i)(x)(xi) of SC/ST (POA) Act, whereby the prayer for pre-arrest bail of the appellants has been rejected.

Learned counsel appearing for the appellant submits that the appellant, who is of clean antecedent is innocent, has not committed any offence. In fact, there is land dispute between the parties for which a case has been lodged by



the appellant against the informant and on account of that the appellant has falsely been implicated in this case. Hence, the appellant 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 Chief Judicial Magistrate, Bettiah, West Champaran in connection with Shikarpur P.S. Case No. 250 of 2016 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/-

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Transmission Date	

