

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1970 of 2019**

Arising Out of PS. Case No.-804 Year-2018 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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JANSHI RAM Son of Rajendra Ram Resident of Village - Chak Hasan, P.S.-
Ahiyapur, District- Muzaffarpur

... .. Appellant/s

Versus

THE STATE OF BIHAR Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Shally Kumari

For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL JUDGMENT

Date : 15-05-2019

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 08.03.2019 passed by learned 11th Addl. Sessions Judge-cum-Special Judge (SC/ST) Act, Muzaffarpur in connection with Muzaffarpur Sadar P.S. Case No. 804 of 2018 registered under Sections 302, 201/34 of the Indian Penal Code and Section 3(1) (S)/3(2) (v) of SC/ST 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 and has not committed any offence. In fact, there is land dispute between the parties. The appellant has been made accused in this case on the basis of suspicion only. Both the



parties are relatives and no case under the provision of SC/ST Act is made out against appellant. 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 11th Addl. Sessions Judge-cum-Special Judge (SC/ST) Act, Muzaffarpur in connection with Muzaffarpur Sadar P.S. Case No. 804 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/
S. Katyayan

Uploading Date	
Transmission Date	

