

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4643 of 2018

Arising Out of PS. Case No.-335 Year-2017 Thana- BAIRIYA District- West Champaran

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1. Devi Lal Chaudhary, Son of Nathuni Chaudhary
 2. Jitendrar Chaudhary @ Jitendra Chaudhary
 3. Munna Chaudhary
- Both are sons of Devi Lal Chaudhary and All are Residents of Village-
Bairiya, Police station Bairiya, Distt.-West Champaran

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Akhileshwar Kumar Shrivastva
For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 29-01-2019

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 25.09.2018 passed by the learned ADJ 1st -Cum-Spl. Judge, Bettiah, West Champaran in ABP No. 1200 of 2018 arising out of Bairiya P.S.Case No. 335 of 2017 registered under Sections 323, 341, 354B/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 abusing the informant and trying to disrobe her.

Submission of learned counsel for the appellants is that there is land dispute between the parties and a Panchayati was



also held but informant did not obey Panchayati and lodged the present case with false allegation and the aforesaid fact will appear from Annexure-2.

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 ADJ 1st -Cum-Spl. Judge, Bettiah, West Champaran in ABP No. 1200 of 2018 arising out of Bairiya P.S.Case No. 335 of 2017; 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	NAFR
CAV DATE	
Uploading Date	
Transmission Date	

