

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.1980 of 2019**

Arising Out of PS. Case No.-2 Year-2019 Thana- RAJAPAKAR District- Vaishali

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1. PYARE SINGH Son of Late Mahtab Singh Resident of Village-Khushal chak, P.S.-Gaurichak, Patna, District-Patna.
  2. Raj Nandan Singh Son of Jagnandan Singh Resident of Village-Bahuara, P.S.-Raja Pakar, District-Vaishali.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Manendra Kumar Sinha  
For the Respondent/s : Mr.Sadanand Paswan

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

**Date : 16-05-2019**

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 07.03.2019 passed by learned Special Judge-I, Hajipur (Vaishali) in connection with Raja Pakar (Barauti) P.S. Case No. 02 of 2019 registered under Sections 406, 420, 364(A) and 365 of the Indian Penal Code and Section 3(1)(r)(s) 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 are innocent and have not committed any offence. In fact, there is land dispute between the parties and on account of that a Title Suit No. 405 of 2018 has been lodged by



the appellants which is still pending in the court below, which is evident from Annexure-2. The appellants have falsely been implicated in this case. 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 Special Judge -cum- A.D.J.-1, Vaishali at Hajipur in connection with Raja Pakar (Barauti O.P.) P.S. Case No. 02 of 2019 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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