

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4771 of 2018

Arising Out of PS. Case No.-21 Year-2018 Thana- SC/ST BETTIAH District- West
Champaran

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1. Azim Miyan
 2. Saghir Miyan @ Shagir Miyan @ Sagir Miyan
 3. Shabbir Miyan @
Sabbir Miyan @ Shabir Miyan
all sons of Amarullah Miyan
 4. Amrullah Miyan son of Late Chokat Miyan
 5. Imran Miyan son of Azim Miyan
All residents of Vill-Inarwa Mohammadpur, P.S-Shikarpur, Distt.-West
Champaran

... .. Appellant/s

Versus

The State Of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Umesh Chandra Verma
For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 21-02-2019

Heard the parties.

The appellants are apprehending their arrest in connection with Bettiah SC/ST P.S.Case no.21 of 2018 dated 11.5.2018 , registered for offences punishable under Sections 447, 341, 323, 354, 504/34 of the Indian Penal Code and Sections 3(1)(r)(w)(2)(va) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellants as per FIR is that the appellant no.1 has thrashed the informant on the ground and also assaulted by fists and slaps and the appellant no.2 has threatened to him to disposes of the informant from the land and the other appellants are named in the FIR.

Submission of the learned counsel for the appellants is that the FIR itself shows that there is land dispute and the proceeding under



Section 107f of the Cr.P.C. was also going on between the parties and furthermore prior to lodging of the case a case had been lodged by the appellants’ side against the informant and others.

Heard learned A.P.P. and the learned counsel for the informant. .

Having heard both sides and in view of the facts and circumstances, as stated above let the appellants , above named, in the event of arrest or surrender before the learned Special Judge within a period of six weeks from the date of order 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 1st Addl. Sessions Judge cum Special Judge, West Champaran, Bettiah in connection with Bettiah S.C. & S.T. P.S.Case No.21 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this appeal is allowed.

(Vinod Kumar Sinha, J)

chn/-

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CAV DATE	
Uploading Date	
Transmission Date	

