

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4843 of 2018

Arising Out of PS. Case No.-494 Year-2017 Thana- MUFFASIL District- West Champaran

Pappu Rai @ Sanjeev Rai @ Sanjeev Kumar Rai, Son of Baliram Ray @
Balram Ray R/o Village- Pipara, P.S. - Chanpatiya, Distt.- West Champaran.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bimlesh Kumar Pandey
For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 05-02-2019

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 03.11.2018 passed by the learned Addl. District and Sessions Judge-1st-cum-Special Judge, Bettiah, West Champaran in ABP No. 2191 of 2018 arising out of Bettiah Mufasil (Manuapul) P.S.Case No. 494 of 2017 registered under Sections 307, 323, 341, 379, 504 of the Indian penal Code and Sections 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is that he stopped the motorcycle of the informant and assaulted him. The reason behind the occurrence is that there is land dispute between the



appellant and brother-in-law of the informant and also snatched Rs. 50,000/- from the informant.

Submission of learned counsel for the appellant is that there is land dispute between the parties and a Title Suit No. 13 of 2010 has been decided in favour the appellant's father vide judgment dated 22.09.2017 and due to the aforesaid fact, this case has been lodged by informant on the instigation of his brother-in-law of Arjun Das.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellant, 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) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge-1st-cum-Special Judge, Bettiah, West Champaran in ABP No. 2191 of 2018 arising out of Bettiah Mufasil (Manuapul) P.S.Case No. 494 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)

sujiit/-

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CAV DATE	
Uploading Date	
Transmission Date	

