

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2288 of 2019

Arising Out of PS. Case No.-152 Year-2017 Thana- RIGA District- Sitamarhi

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1. KANHAI SAH @ KANHAI KUMAR Son of Late Krishna Sah
 2. Laxman Sah Son of Kishori Sah
 3. Binay Thakur @ Ram Binay Thakur Son of Late Khelawan Thakur
 4. Sanjay Thakur @ Sanjay Kumar Son of Ram Binay Thakur @ Binay Thakur
 5. Rajesh Sah @ Rajesh Kumar Son of Laxman Sah
 6. Raju Kumar Sah @ Raju Kumar Son of Laxman Sah
 7. Govind Kumar @ Govind Sah Son of Raghunath Sah
 8. Ashok Sah Son of Rajendra Sah
 9. Sudha Devi Wife of Ashok Sah, All Resident of Village - Anhari, P.S.- Riga, District- Sitamarhi
 10. Virendra Sah Son of Late Mahendra Sah
 11. Golu Kumar @ Narendra Kumar @ Narendra Kumar Sah Son of Jogendra Mahto
 12. Rajendra Mahto @ Rajendra Sah Son of Khaheru Mahto, all resident of Village - Bhorha, P.S.- Riga, District- Sitamarhi

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dr. Bidhu Ranjan

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 17-06-2019 Heard learned counsel for the appellants and the

learned counsel appearing for the State.

This appeal is directed against the order dated 08.05.2019 passed by 1st Additional Sessions Judge-cum-Special Judge, Sitamarhi (SC/ST Act) in A.B.P. No. 895 of 2019 in connection with Riga P.S. Case No. 152 of 2017 registered under sections 341, 324, 379, 504/34 of the Indian Penal Code and Sections 3(i) (x) of the S.C. and S.T. (Prevention of Atrocities) Act.



Learned counsel appearing for the appellant submits that the appellant has been falsely implicated in this case. The informant claims the land on basis of Basgit Parcha, however he has not disclosed the Khata and Khesra number of the plot in question. As a matter of fact, with same set of allegations, the informant had earlier lodged Riga P.S. Case No. 14 of 2005 in which after trial the case instituted by the informant was found to be false.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the appellants, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 25,000/- (Twentyfive thousand) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge, Sitamarhi (SC/ST Act) in connection with Riga P.S. Case No. 152 of 2017 subject to the conditions laid down under section 438(2) Cr.P.C.

This appeal is allowed and the impugned order is set aside.

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(Arvind Srivastava, J)

