

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3139 of 2019

Arising Out of PS. Case No.-55 Year-2017 Thana- AMAS District- Gaya

1. JITENDRA SHARMA Son of Doman Sharma @ Doman Mistri @ Dome Sharma Resident of Village - Badki Chilmi, P.S.- Amas, Distt - Gaya.
2. Dinesh Sharma @ Dinesh Mistri Son of Doman Sharma @ Doman Mistri @ Dome Sharma Resident of Village - Badki Chilmi, P.S.- Amas, Distt - Gaya.
3. Dev Kumar Sharma @ Dev Kumar Mistri Son of Balekeshwar Mistri Resident of Village - Badki Chilmi, P.S.- Amas, Distt - Gaya.
4. Vijay Singh @ Vijay Kumar Singh Son of Indradev Singh Resident of Village - Budhaul, P.S.- Amas, Distt - Gaya.
5. Jitendra Singh Son of Prameshwar Singh Resident of Village - Budhaul, P.S.- Amas, Distt - Gaya.
6. Dharendra Singh Son of Birendra Singh Resident of Village - Budhaul, P.S.- Amas, Distt - Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Arvind Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

4 16-11-2019 Heard learned counsel for the Appellants and learned counsel for the State.

This is an appeal under Section 14(A) (2) of the SC/ST Act against the refusal of prayer for anticipatory bail vide order dated 04.06.2019 passed by Exclusive Special Judge, SC/ST, Gaya in connection with A.B.P. No. 120 of 2019 arising out of Amas P.S. Case No. 55 of 2017 for the offence registered under Sections 147, 149, 341, 323, 436, 448, 504 and 506 of



the Indian Penal Code and Section 3(i) (r) (s) of the SC/ST Act.

Learned counsel for the Appellants submits that the informant is a strong headed person and has been terrorizing the villagers and the entire dispute is with regard to the construction of a boundary wall. It is further submitted that after investigation all the allegations have been found to be false and, therefore, the appellants may be extended the privilege of pre-arrest bail.

Having regard to facts and circumstances of the case, let the appellants, namely, Jitendra Sharma, Dinesh Sharma @ Dinesh Mistri, Dev Kumar Sharma @ Dev Kumar Mistri, Vijay Singh @ Vijay Kumar Singh, Jitendra Singh and Dharendra Singh, in the event of their arrest/surrender before the learned court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Exclusive Special Judge, SC/ST, Gaya in connection with A.B.P. No. 120 of 2019 arising out of Amas P.S. Case No. 55 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the impugned order is set aside and



appeal is allowed.

(Anjana Mishra, J)

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