

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3211 of 2019

Arising Out of PS. Case No.-110 Year-2018 Thana- KHAGAUL District- Patna

SANJIT KUMAR @ SATYAJEET SINGH S/o Kameshwar Singh R/o
Village- Dariyapur, Bihta, P.S.- Bihta, District- Patna, at present- Lekha
Nagar, P.S.- Khagaul, District- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ranjeet Tiwary

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 27-11-2019 Heard learned counsel for the appellant and learned
counsel for the respondent State.

The appellant has challenged the order dated
16.02.2019 passed by learned Additional District & Sessions
Judge -cum- Special Judge (SC/ST), Patna in A.B.P. No.
1206/2019 in connection with Khagaul P.S. Case No. 110/2018
registered for the offences under sections 447, 427, 341, 323,
354, 504, 506, 34 of the Indian Penal Code and 3(i)(g)(r) (w) of
SC/ST (Prevention of Atrocities) Act, 1989 whereby the prayer
made on behalf of the appellant for grant of anticipatory bail has
been rejected.

Prosecution allegation, in short, is that while the
informant was constructing a boundary wall at the site, the



accused persons came and destroyed the boundary wall. The accused persons also abused informant by taking his cast name and also assaulted him.

It has been submitted on behalf of the appellant that the appellant has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the appellant. The appellant has falsely been implicated in the present case due to land dispute between the parties. It appears that owing to dispute over the passage, the present false case has been lodged by the informant. The present case has been instituted with oblique reasons.

On behalf of the respondent State, it is submitted that the appellant is named in the F.I.R.

Considering the aforesaid facts and circumstances, this Court is inclined to and sets aside the order dated 16.02.2019, refusing to grant anticipatory bail to the appellant.

Let the appellant, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-cum- Special Judge,



(SC/ST) Patna in connection with Special Case No. 200 of
2018 arising out of Khagaul P.S. Case No. 110/2018.

The appeal stands allowed.

(Sudhir Singh, J)

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