

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3798 of 2019**

Arising Out of PS. Case No.-165 Year-2019 Thana- RAJAOLI District- Nawada

1. Solzar Kumar @ Solzar Yadav, aged about 30 years, S/o Chandar Yadav @ Chandra Yadav
2. Chandar Yadav @ Chandra Yadav, aged about 65 years, S/o Late Latan Yadav, both resident of village- Bhagwanpur, P.S.- Rajauli, District- Nawada

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Pramod Kumar Verma, Advocate
For the State	:	Mrs.Usha Kumari No.1, Special PP SC/ST Act

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 20-11-2019 Heard learned counsel for the appellants and the learned Spl. PP 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 07.08.2019 passed by learned Additional Sessions Judge Ist cum Spl. Judge, Nawada in Rajauli P.S. Case No.165 of 2019 registered for the offences punishable under Sections 147, 341, 323, 379, 504 of the Indian Penal Code and Section 3(1)(x) of the SC/ST Act.

Prosecution case, in short, is that on 17.05.2019 at about 10:00 P.M. in the night when the informant Rajkumar Pd. was returning his house to perform marriage of his daughter and



when he came near Rajauli Bhagwan marh then 20 unknown persons stopped his vehicle and enter into his vehicle and snatched the golden earring of namely Malti Devi, Rinku Devi and golden bangle of Nitu Devi and they also assaulted to them. It is also alleged that on that very time one Sunil Chaudhary, son of Kailash Chaudhary was also returning his house and all the unknown persons also abuses them using word harijan and assaulted them due to caused injury on his neck. The informant also discloses the name of the all the unknown person in written application of the informant.

Learned counsel for the appellants submits that all the accused persons are resides in same area and both persons wre returning from marriage ceremony and some altercation took place for the overtake of the vehicle near Bhagwanpur morh and due to overtake of the vehicle this false case has been instituted against the all named accused persons including the appellants. There is no specific allegation against the appellants. There is general and omnibus allegation against the appellants.

Learned Spl. PP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named appellants be released on bail, in the



event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge Ist cum Spl. Judge, Nawada in connection with Rajauli P.S. Case No. 165 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Accordingly, the impugned order is set aside and appeal is allowed.

(Anjani Kumar Sharan, J)

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