

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.23 of 2019

Arising Out of PS. Case No.-50 Year-2017 Thana- SC/ST District- Purnia

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1. Mainu Rai and Anr Late Domi Rai Resident of village- Chanka, P.S- K. Nagar, Dist- Purnea
 2. Dev Narayan Rai Sri Mainu Rai Resident of village- Chanka, P.S- K. Nagar, Dist- Purnea

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Amit Kumar Anand
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 24-01-2019

Heard the parties.

By way of this memo of appeal, preferred under Section 14(A) of the Scheduled Caste/Scheduled Tribes (Prevention of Atrocities) Act, 1989, appellants seek for setting aside the order dated 20.11.2018 passed in SC/ST P.S.Case No.50 of 2017 for the offences punishable under Sections 147, 148, 188, 323, 379, 384, 420 and 506/34 of the Indian Penal Code and Section 3(i)(r)(s) of SC/ST Act by the learned 1st Addl. Sessions Judge cum Special Judge, Purnea whereby and where-under, the appellant's application for grant of anticipatory bail has been rejected.

Allegation against the appellants is of threatening the informant and trying to fully dispossess him.

Submission of the learned counsel for the appellants is that they have purchased the land earlier from the father- in -law of the informant and in order to dispossess from the land, the present case has been lodged and



even the police after investigation has not found the case true and as such submitted final form, however, the cognizance has been taken.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this appeal is allowed and the impugned order is set aside, let the appellant, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge cum Special Judge, Purnea in connection with Sc/St P.S.Case No.50 of 2017, subject to condition as laid down under Section 438 of Cr.P.C.

(Vinod Kumar Sinha, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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