

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.40 of 2019

Arising Out of PS. Case No.-60 Year-2018 Thana- AKBARNAGAR District- Bhagalpur

1. Raj Kumar @ Raj Kumar Singh and Ors Polish Singh Resident of village-English Chichron, P.S- Akbarnagar, Dist- Bhagalpur,.
2. Dedar Singh @ Kardar Singh@ Kare Singh, Late Hirday Narayan Singh Resident of village-English Chichron, P.S- Akbarnagar, Dist- Bhagalpur,.
3. Pulish Singh Late Hirday Narayan Singh Resident of village-English Chichron, P.S- Akbarnagar, Dist- Bhagalpur,.
4. Kare singh @ Karelal @ Karelal singh Makho Singh Resident of village-English Chichron, P.S- Akbarnagar, Dist- Bhagalpur,.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dhananjay Kumar Gupta
For the Respondent/s : Mr.Smt Usha Kumari No

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, appellant seeks for setting aside the order dated 26.11.2018 passed in ABP No.2640 of 2018 for the offences punishable under Sections 143, 341, 323, 427, 448, 504 of the Indian Penal Code and Section 3(1)(2)(s3(2)) of SC/ST Act by the learned 3rd Addl. District and Sessions Judge Special Judge, SC/ST Act, Bhagalpur, whereby and where-under, the appellant's application for grant of anticipatory bail has been rejected.

Allegation against the appellants and others is of assault to the informant damaging the house and also abusing the



informant by caste name. It further appears from the FIR itself that the a Title Suit is going on between the parties.

Submission of the learned counsel for the appellant is that earlier to that a case had been lodged by the appellants side against the informant and Title Suit is admitted between the parties and due to that the false and concocted case has been lodged.

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 appellants, 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) each with two sureties of the like amount each to the satisfaction of the learned 3rd Addl. District and Sessions Judge- Special Judge, SC/ST Act, Bhagalpur in connection with Akbarnagar P.S.Case No.60 of 2018, subject to condition as laid down under Section 438 of Cr.P.C.

(Vinod Kumar Sinha, J)

chn/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

