

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.2167 of 2018**

Arising Out of PS. Case No.-1002 Year-2016 Thana- COMPLAINT CASE District- Supaul

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1. Shyam Sunder Kamat
2. Ram Sundar Kamat
3. Ram Chandra Kamat
4. Shiv Chandra Kamat petitioner nos. 1 to 4 son of Bambholi Kamat.
5. Kundan Kumar @ Kundan Kamat son of Shivchandra Kamat, resident of Village- Ratanpura, P.S.- Kishanpur, District- Supaul.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Ramchandra Sada son of Late Jivachh Sada, resident of Village- Kamaljari, P.S.- Kishanpur, District- Supaul.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Amar Nath Yadav, Adv.  
For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

5      08-01-2019                      The appellants seek pre-arrest bail in connection with Complaint Case No. 1002 of 2016, registered for offences punishable under Sections 147, 148, 323, 379, 504, 120-B of the Indian Penal Code and Section 3(i)(r) of SC/ST Act.

Allegation against the appellants is that they came over the land of the complainant and assaulted him and also abusing him by taking caste name. Further allegation of snatching Rs.15,00/- from his pocket.

Submission of learned counsel for the appellants is that land belongs to the appellants and they have purchased the same from one other person and the land which has been



allotted to the complainant is the land of one Gulgun Sada.  
Further, the appellants have falsely been implicated in this case.

Heard learned Special P.P. as well as learned counsel for the informant also, they have opposed the prayer for anticipatory bail of the appellants stating that there is also allegation of abusing the complainant by taking caste name and dislodging the complainant from his land and further appellant nos.2, 3 and 5 are accused in one more case.

Having heard both sides, considering the facts and circumstances of the case as stated above, I am not inclined to grant pre-arrest bail to the appellants, rather they should surrender before the court below and make prayer for regular bail, which will be considered on its own merit, without being prejudice by order of this Court.

Accordingly, this appeal is dismissed.

**(Vinod Kumar Sinha, J)**

Amjad/-

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