

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4782 of 2019

Arising Out of PS. Case No.-13 Year-2018 Thana- SC/ST District- Rohtas

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1. SATYENDRA SINGH Son of Late Harihar Singh Resident of Village-Baradih, Police Station- Sasaram (M), District- Rohtas.
 2. Ganesh Singh Son of Late Munshi Singh Resident of Village-Baradih, Police Station-Sasaram (M), District-Rohtas.
 3. Jagjiwan Singh Son of Late Munshi Singh Resident of Village-Baradih, Police Station-Sasaram (M), District-Rohtas.
 4. Amarendra Singh Son of Satyendra Singh Resident of Village-Baradih, Police Station-Sasaram (M), District-Rohtas.
 5. Halendra Singh Son of Satyendra Singh Resident of Village-Baradih, Police Station-Sasaram (M), District-Rohtas.
 6. Amit Singh Son of Satyendra Singh Resident of Village-Baradih, Police Station-Sasaram (M), District-Rohtas.

... .. Appellants

Versus

THE STATE OF BIHAR

... .. Respondent

Appearance :

For the Appellant/s : Mr.Rajani Kant Singh
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 12-12-2019 Heard learned counsel for the appellants and learned
Additional Public Prosecutor for the State.

This memo of appeal is being filed on behalf of the appellants for setting-aside the order dated 30.09.2019 passed by learned 1st Additional District & Sessions Judge, Rohtas at Sasaram in Registered Case No. 38 of 2018 arising out of SC/ST P.S. Dehri Case No. 13 of 2018 by which the anticipatory bail of the appellants has been rejected for the offences under Sections 147, 149, 341, 323, 354, 504 of the I.P.C. and Section



3(i)(r)(s) of SC/ST (Prevention of Atrocities) Act, 1989.

Learned counsel for the appellants submits that there is case and counter case and both the parties are co-villagers and have indulged in free fight. Learned counsel submits that the appellants neither abused the informant nor assaulted anybody, however the appellants have clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the appellants.

Considering the facts and circumstances of the case wherein there is a case and counter case as contained in Annexure '1' as well as Annexure '2' lodged on the same date by both the parties, they are co-villagers and both the parties seems to have indulged in free fight and learned A.P.P. for the State has after going through the case diary submitted that simple injuries have been noted on the informant side but no injury is there on any vital part of the body, considering these facts as also that these appellants have no criminal antecedent, the impugned order is set-aside and in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named appellants be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the



satisfaction of learned 1st Additional District & Sessions Judge, Rohtas at Sasaram, in connection with Registered Case No. 38 of 2018 arising out of SC/ST Dehri P.S. Case No. 13 of 2018, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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