

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5425 of 2019

Arising Out of PS. Case No.-154 Year-2019 Thana- CHANDAN District- Banka

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1. RAJENDRA DAS @ SARVAN DAS Son of Late Sheo Prasad Das Resident of Village - Kenduar, P.S.- Chandan, Distt.- Banka.
 2. Manoj Das @ Atwari Das Son of Late Sheo Prasad Das Resident of Village - Kenduar, P.S.- Chandan, Distt.- Banka.
 3. Pawan Gupta Son of Manoj Das @ Atwari Das Resident of Village - Kenduar, P.S.- Chandan, Distt.- Banka.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Mukherjee
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-12-2019 By way of present appeal, appellants seek pre arrest bail in connection with Chandan (Anandpur) P.S. Case No. 154/2019, registered for the offences punishable under Sections 341, 323, 385, 504, 506/34 of the Indian Penal Code and Section 3(i)(r)(s) of the SC/ST (Prevention of Atrocities) Act.

Allegation against the appellants is of demand of one tractor brick from the informant as rangdari and for that abused them by caste name.

Submission of learned counsel for the appellants is that they have falsely been implicated in this case and no case is made out under SC/ST (Prevention of Atrocities) Act as the



appellants themselves belong to SC/ST category and further there is no specific mentioning with regard to the abuse made by the appellants.

Learned Special P.P. opposed the prayer for anticipatory bail of the appellants.

Having heard both sides, considering the facts and circumstances of the case, this appeal is allowed and impugned order dated 17.10.2019 passed by the learned Additional Sessions Judge-I-cum Special Judge (SC/ST) Banka in A.B.P. No. 1496/2019 (arising out of Chandan {Anandpur} P.S. Case No. 154/2019) is set aside, let the appellants in the event of their arrest or surrender before the court below within a period of three weeks, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum Special Judge (SC/ST) Banka, in connection with Chandan {Anandpur} P.S. Case No. 154/2019.

(Vinod Kumar Sinha, J)

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