

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5295 of 2019

Arising Out of PS. Case No.-275 Year-2019 Thana- NAUTAN District- West Champaran

1. RAMPATI SINGH Son of Late Jhagaru Singh Resident of Village - Mangalpur Kala, P.S.- Nautan, District- West Champaran
2. Ramashray Singh Son of Late Jhagaru Singh Resident of Village - Mangalpur Kala, P.S.- Nautan, District- West Champaran
3. Dilip Kumar Singh Son of Rampati Singh Resident of Village - Mangalpur Kala, P.S.- Nautan, District- West Champaran
4. Krishna Kumar Singh Son of Rampati Singh Resident of Village - Mangalpur Kala, P.S.- Nautan, District- West Champaran

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bimlesh Kumar Pandey

For the Respondent/s : Mr.Usha Kumari I

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-12-2019 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 7.11.2019 passed in Nautan P.S.Case No.275 of 2019 for the offences punishable under Sections 341, 323, 504, 354(B) and 34 of the Indian Penal Code and Section 3(i)(r)(s) and 3(ii) (va) of SC/ST (POA) Act by the learned Addl. Sessions Judge I cum Special Judge, West Champaran at Bettiah whereby and where-under, the appellants' application



for grant of anticipatory bail has been rejected.

As per FIR, there is allegation against the appellant no.1 of abusing the informant by taking caste name and there is further allegation against the appellants that they assaulted and tried to disrobe the wife of the informant.

Submission of the learned counsel for the appellants is that they are neighbours and they have falsely been implicated in this case and further there is general and omnibus allegation against the appellants.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, so far appellant no.1, above named, is concerned, I am not inclined to grant privilege of anticipatory bail to him and so far appellant nos. 2 to 4, above named, are concerned, this appeal is allowed and the impugned order is set aside in respect of them, let the appellant nos. 2 to 4, above named, in the event of their arrest or surrender before the learned court below within a period of three 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 Addl. Sessions Judge I cum Special Judge, West Champaran at



Bettiah in connection with Nautan P.S.Case No.275 of 2019
subject to condition as laid down under Section 438 of Cr.P.C.

So far appellant no.1 is concerned, he has to surrender
an pray for regular bail, which will be considered on its own
merit without being prejudiced by the order of this Court, if
possible to be disposed of on the same day.

With the above direction, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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