

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.248 of 2020

Arising Out of PS. Case No.-171 Year-2013 Thana- MADANPUR District- Aurangabad

1. ARVIND KUMAR SINGH CHANDRAVANSHI @ ARVIND CHANDRAVANSHI Son of Surendra Prasad Singh Resident of Village - Pani Tanki Madanpur, P.S.- Madanpur, Dist.- Aurangabad.
2. Bhola Chandravanshi @ Bhola Singh @ Vinod Kumar Singh Son of Surendra Prasad Singh Resident of Village - Pani Tanki Madanpur, P.S.- Madanpur, Dist.- Aurangabad.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shailesh Kumar Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-12-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the appellants and Sri Binay Krishna, the learned Spl.P.P. for the State.

The present appeal has been preferred under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail vide order dated 23.12.2019, passed by the learned Additional District and Sessions Judge 1st-cum-Special Judge (ST/SC) Act, Aurangabad in anticipatory bail petition no.



1553 of 2019, arising out of Madanpur PS case no. 171 of 2013 under Sections 341, 323, 385, 504/34 of Indian Penal Code and 3(1)(x) of SC/ST (POA) Act.

At the outset, the learned counsel for the appellants, in presence of the learned Spl.P.P. for the State Sri Vinay Krishna, considering the fact that there is specific allegation against the appellants of having abused the informant by taking caste specific name, seeks to withdraw the present petition with liberty to the appellants to surrender before the learned court below and seek regular bail, however he submits that the learned court below be directed to consider the case of the appellants herein sympathetically in view of their clean antecedent as also in view of them having been granted police bail earlier.

Considering the submissions of the learned counsel for the appellants herein, the present petition stands disposed of as not pressed, however with liberty to the petitioner to surrender before the learned court of 1st Additional Sessions Judge-cum-Special Judge (SC/ST) Aurangabad in connection with Madanpur PS case no. 171 of 2013 and seek regular bail, which shall be considered sympathetically by the learned court below. It is further directed that the learned court below shall



consider the prayer of the appellants for grant of regular bail and
pass appropriate orders in accordance with law on the very same
day of filing of such petition for grant of regular bail.

(Mohit Kumar Shah, J)

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