

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.357 of 2020**

Arising Out of PS. Case No.-531 Year-2019 Thana- NATHNAGAR District- Bhagalpur

1. VIKRAM TANTI Son of Jageshwar Tanti Resident of Village - Noorpur Pipalgachhi, P.S.- Nathnagar (Madhusudanpur), Dist.- Bhagalpur.
2. Chhotu Sah @ Chhotu Kumar Sah Son of Gautam Sah Resident of Village - Noorpur Rajpoot Tola, P.S.- Nathnagar (Madhusudanpur), Dist.- Bhagalpur.
3. Gaya Yadav @ Ganga Yadav @ Manga Yadav @ Rupesh Yadav Son of Khokha Yadav Resident of Village - Karela Simargach, P.S.- Nathnagar (Madhusudanpur), Dist.- Bhagalpur.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Indeshwari Prasad Mandal
For the Respondent/s	:	Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

4 27-05-2020 Heard learned counsel for the appellants and learned
Spl. PP for the State through video conferencing.

This is an appeal under Section 14(A)(2) of the SC/ST
(POA) Act against the refusal of prayer for regular bail vide
order dated 07.01.2020 passed by learned Addl. Sessions Judge-
III-cum Special Judge, SC/ST Act, Bhagalpur in connection
with Nathnagar (Madhusudanpur) P.S. Case No. 531 of 2019,
registered under Sections 341, 323, 385, 504 and 506/34 of the
Indian Penal Code and Section 3(i)(r)(s) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Accusation is that on 01.11.2019 at about 8.00 P.M.,



appellants along with 5-6 unknown having armed with pistol and bomb, in bag, came near the informant Rajiv Paswan, at that time informant Rajiv Paswan was present at village road. On seeing them, informant put himself inside the road, but all attacked at him, but, informant, anyhow, saved his life entering into the house of his neighbour. At that time, all threatened him to shot fire and made demand of ransom otherwise he will be killed. Since, the informant Rajiv Paswan is of scheduled caste due to that reasons, he was threatened by the appellants and others.

Submission is that appellants are co-villagers of the informant, moreso, appellant No. 1 Vikram Tanti is also belonging to the scheduled caste, but with ulterior motive and dirty village politics, the appellants have falsely been implicated in this case. Further submission is that appellant No.1 Vikram Tanti and appellant No.2 Chhotu Sah @ Shhotu Kumar Sah are in custody since 08.11.2019, whereas, appellant No.3 Gaya Yadav is in custody since 06.11.2019.

Learned Spl. PP for the State opposed the prayer for regular bail.

Having regard to the facts and circumstances of the case, let the above named appellants, be released on bail on



furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge-III-cum-Special Judge, SC/ST Act, Bhagalpur in connection with Nathnagar (Madhusudanpur) P.S. Case No. 531 of 2019.

Accordingly, the impugned order is set aside and appeal is allowed.

(Rajendra Kumar Mishra, J)

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