

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.638 of 2020

Arising Out of PS. Case No.-55 Year-2019 Thana- SC/ST District- Saran

1. Anil Rai Son of Late Gutum Rai Resident of Mohalla - Lejuar, P.S.- Daudpur, District- Saran at Chapra
2. Sunil Rai Son of Late Gutum Rai Resident of Mohalla - Lejuar, P.S.- Daudpur, District- Saran at Chapra
3. Mahesh Rai Son of Late Bangali Rai Resident of Mohalla - Lejuar, P.S.- Daudpur, District- Saran at Chapra
4. Vikash Rai Son of Mahesh Rai Resident of Mohalla - Lejuar, P.S.- Daudpur, District- Saran at Chapra
5. Shiya Shankar Rai Son of Late Chandeshwar Rai Resident of Mohalla - Lejuar, P.S.- Daudpur, District- Saran at Chapra
6. Ranjeet Rai Son of Late Jattu Rai Resident of Mohalla - Lejuar, P.S.- Daudpur, District- Saran at Chapra
7. Mantosh Yadav @ Mantosh Rai Son of Santraj Rai Resident of Mohalla - Lejuar, P.S.- Daudpur, District- Saran at Chapra

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ram Binod Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-12-2020 Heard learned counsel for appellants and learned
Special P.P. for the State through video conferencing.

The present appeal has been filed against order dated
11-12-2019 passed by learned A.D.J.-I cum Special Judge,
SC/ST (POA) Act, Saran at Chapra in Saran SC/ST P.S. Case
No. 55 of 2019 registered for the offence punishable under
Sections 341, 323, 379, 354, 504, 506/34 of the Indian Penal



Code and Section 3(i)(s)(w) of SC/ST (POA) Act, whereby the prayer for anticipatory bail of appellants was rejected.

As per the prosecution case, on 19-09-2019 at about 5:30 PM, while the informant was returning his village, all the appellants, who were sitting on the bridge, abused and assaulted the informant and also snatched Rs. 15,000/- from him.

It is submitted on behalf of appellants that there is case and counter case. There is land dispute between the parties. It is further submitted that the present case is counter blast to the civil and criminal cases lodged by the appellants against the informant. The appellants have no criminal antecedent, as stated in paragraph – 3 of the memo of appeal.

Considering the aforesaid facts & circumstances as well as nature of allegation, the impugned order dated A.D.J.-I cum Special Judge, SC/ST (POA) Act, Saran at Chapra in Saran SC/ST P.S. Case No. 55 of 2019 is set aside and this appeal is allowed.

Accordingly, let the appellants, above named, in the event of arrest or surrender within a period of eight weeks from the date of receipt/production of copy of this order, be enlarged 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 learned A.D.J.-I cum Special Judge, SC/ST (POA) Act, Saran
at Chapra in connection with Saran SC/ST P.S. Case No. 55 of
2019.

(Prabhat Kumar Singh, J.)

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