

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1023 of 2020

Arising Out of PS. Case No.-11 Year-2020 Thana- CHANAN District- Lakhisarai

1. Manoj Kumar Son of Bangali Saw Resident of Village - Tetarhat, P.S.- Tetarhat, Distt - Lakhisarai.
2. Snadeep Kumar Son of Sakindra Yadav Resident of Village - Nista, P.S.- Suryagarha, Distt - Lakhisarai.
3. Vijay Ram Son of Valeshwar Ram Resident of Village - Nista (Torapur), P.S.- Suryagarha, Distt - Lakhisarai.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Manoj Kumar
For the Respondent/s	:	Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 12-11-2020 Heard learned counsel for appellants and learned
Special P.P. for the State through video conferencing.

The present appeal has been filed for setting aside the order dated 14-02-2020 passed by learned A.D.J.-I cum Special Judge, Lakhisarai in A.B.P. No. 143 of 2020 (arising out of Chanan P.S. Case No. 11 of 2020) registered for the offence punishable under Sections 186/332/353/379/427/34 of the Indian Penal Code, Section 3 of Bihar Prevention of Defacement of Property Act and Section 3(i)(s) of SC/ST Act, whereby the prayer for anticipatory bail of appellants and five other co-accused persons was rejected.



As per prosecution case, the leader of the District Truckers Association had gone to the police station and created some obscene alongwith 10-12 persons. The said leader namely Pravin Kumar @ Golu is not before this Court. The appellants are owners of the trucks, which have been seized.

It is submitted on behalf of appellants that appellant no. 1 (Manoj Kumar) is owner of vehicle, bearing registration no. BR3G-1597, appellant no. 2 (Sandeep Kumar) is owner of vehicle no. BR53G-2981 and appellant no. 3 (Vijay Ram) is owner of vehicle no. BR53A-8778 and as per FIR, specific allegation is against co-accused Praveen Kumar @ Golu. It is further submitted that other four co-accused persons have already been granted anticipatory bail by this Court, vide order dated 06-10-2020 passed in Cr.Appeal (SJ) No. 1160 of 2020. It is further submitted that on perusal of FIR, it appears that no case under the SC/ST Act is made out against these appellants.

Considering the aforesaid facts & circumstances, this appeal is allowed and the impugned order dated 14-02-2020 passed by learned A.D.J.-I cum Special Judge, Lakhisarai in A.B.P. No. 143 of 2020 (arising out of Chanan P.S. Case No. 11 of 2020) is set aside.

Accordingly, in the event of arrest or surrender within



a period of eight weeks from the date of receipt/production of copy of this order, let the appellants as named above 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, Lakhisarai in A.B.P. No. 143 of 2020 (arising out of Chanan P.S. Case No. 11 of 2020), subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J.)

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