

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1537 of 2020

Arising Out of PS. Case No.-65 Year-2016 Thana- BALIYA District- Begusarai

RANJEET CHOUDHARY S/O Bhola Chaudhary Resident of Mohalla - Hari
Babu Tola Bahadur Nagar, P.S.- Munger (Muffasil), District- Munger.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Binod Kumar

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-10-2020 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State through virtual Court
proceedings.

This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 (hereinafter in short referred to as the
'SC/ST Act') against the refusal of prayer for bail vide order
dated 25.02.2020 passed by learned Special Judge SC/ST (POA)
Act, Begusarai in connection with Ballia P.S. Case No. 65 of
2016 registered under Sections 147, 148, 149, 341, 342 & 302
of the Indian Penal Code and Section 3(ii) (v) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act.

While the brother-in-laws of the informant,
namely, Mahesh Ram and Ram Pravesh Ram were returning



from Ballia Bazar by motorcycle and when they reached near the flour mill, all the accused persons named in the F.I.R. along with other accused persons dragged them from the motorcycle and on the order of Surendra Chaudhary, Chhote Lal Chaudhary and other accused persons are said to have fired upon them by gun causing death of her brother-in-law on the spot.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case due to land dispute. A land dispute is going on between the co-accused and father -in-law of the informant for which writ petition bearing C.W.J.C. No.7758 of 2015 was filed by the appellant before this Court. There is no specific allegation against the appellant. The allegation levelled against the appellant is general and omnibus in nature. Learned counsel for the appellant further submitted that several similarly situated co-accused have been enlarged on bail by different co-ordinate Bench of this Court and those bail orders have been annexed as Annexure-2 and Annexure-3 series to this appeal. Appellant has been languishing in custody since 22.02.2020.

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



In the facts and circumstances of the case, the above named appellant is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge SC/ST (POA) Act, Begusarai in connection with Ballia P.S. Case No.65 of 2016, subject to the condition that the appellant will not leave the country without permission of the learned Court below.

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

(Anjani Kumar Sharan, J.)

Trivedi/-

U		T	
---	--	---	--

