

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1666 of 2020

Arising Out of PS. Case No.-83 Year-2019 Thana- MAINATAND District- West Champaran

1. MANJEET PATEL @ MANDIP KUMAR, Son of Parmeshwar Patel, Resident of Village- Rampurwa Chapariya Tola, Police Station- Mainatand, District- West Champaran.
2. Ranjeet Patel @ Ranjeet Kumar Prasad, Son of Amar Kishore Patel, Resident of Village- Rampurwa Chapariya Tola, Police Station- Mainatand, District- West Champaran.
3. Baby Dewal Kumar @ Babi Dewal, Son of Dharmendra Sah, Resident of Village- Rampurwa Chapariya Tola, Police Station- Mainatand, District- West Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sachida Nand Rai, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-11-2020 Heard learned counsel for the parties through video conferencing.

The present appeal is directed against the order dated 05.03.2020, passed by the learned 1st Additional District and Sessions Judge-cum-Special Judge (SC/ST/POCSO), Bettiah, District- West Champaran in a case registered for the offence punishable under Sections 147, 149, 341, 323, 325, 504, 506, 307 and 379 of the Indian Penal Code and Section 3 (i) (r) of the SC/ST (Prevention of Atrocities) Act, whereby anticipatory bail of the appellants have been rejected.

The prosecution case in brief is that 11 named and 8



to 10 unknown persons assaulted the informant and his son in which the son of the informant had received grievous injury and the appellants also abused them by calling their caste name.

Learned counsel for the appellants submit that though the appellants were not named in the F.I.R., but the informant named these appellants in his statement during the course of investigation. It is further submitted that there is general and omnibus allegation against these appellants. It is stated in paragraph no.3 of memo of the appeal that appellants have got clean antecedent.

Learned counsel for the State on the other hand opposes the prayer for bail.

Having regard to the submissions made by the parties and taking into consideration the materials available on record, this appeal is allowed and the impugned order dated 05.03.2020 is set aside.

Accordingly, in the event of arrest or surrender by the appellants, above named, before the Court below within six weeks from today, they shall be released on anticipatory 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 1st Additional District and Sessions Judge-cum-Special



Judge (SC/ST/POCSO), Bettiah, District- West Champaran in
Mainatand Police Station Case No. 83 of 2019.

(Prabhat Kumar Singh, J)

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