

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1838 of 2020**

Arising Out of PS. Case No.-274 Year-2020 Thana- KHAGARIA District- Khagaria

SITESH PATHAK @ JHUMAN PATHAK S/o Jshodhar Pathak Resident of
Village-Bela Simry, P.S.-Gangour, District-Khagaria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajesh Kumar, Advocate
For the Respondent/s : Mr.Sadanand Paswan, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER**

2 01-12-2020 Heard learned counsel for the appellant and the
State.

The appellant is aggrieved by the order dated 07.07.2020 passed by the Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Khagaria in Khagaria (Gangaur) P.S. Case No. 274 of 2020, G.R. No. 1082 of 2020 registered for the offences under Sections 448, 354B, 509, 504, 506/34 IPC and Sections 3(i) (r) (w)(i) va of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, whereby prayer for grant of regular on behalf of the appellant has been rejected.

Learned counsel appearing on behalf of the appellant would submit that the appellant has no criminal antecedent. The appellant is in custody since 19.06.2020. The appellant and the informant are next door neighbour and the dispute arose on



account of a trivial issue of committing nuisance.

Considering the fact that the appellant has no criminal antecedent and he has remained in custody since 19.06.2020, the impugned order dated 07.07.2020 is set aside and the appeal is, accordingly, allowed.

Let the appellant, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-I-cum- Special Judge SC/ST Act, Khagaria in connection with Khagaria (Gangaur) P.S. Case No. 274 of 2020, G.R. No. 1082 of 2020.

(Anil Kumar Upadhyay, J)

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