

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5728 of 2019

Arising Out of PS. Case No.-47 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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UPENDRA SINGH, Son of Late Rameshwar Singh Resident of Village -
Wajitpur, P.O.- Anant Kamtaul, P.S.- Kudhani, District- Muzaffarpur

... .. Appellant/s

Versus

1. The State of Bihar
2. Ram Dayal Paswan, Son of Late Charitra Paswan, Resident of Village -
Majitpur, P.O.- Anant Kamtaul, P.S.- Kudhani, District- Muzaffarpur

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Yogesh Chandra Verma, Senior Advocate Mr. Bipin Chandra, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Special P. P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-01-2020 This appeal has been filed for quashing of the order dated 27.11.2019 passed by the learned Special Judge, SC/ST Act, Muzaffarpur and for grant of anticipatory bail in connection with Complaint Case No. 47 of 2018 disclosing offences under Sections 380 and 354 of the Indian Penal Code and Section 3(i)(x) of the SC/ST Act.

As per complaint case the appellant and other accused persons came to the house of the informant abused him and assaulted him.

Submission of the learned counsel for the appellant is that the complaint case itself disclosed that there is no allegation of abuse and assault in the public view. There is land dispute



between the parties.

Heard learned Special P.P. also.

Having heard both sides, considering the above submissions, made above, this appeal is allowed. The impugned order dated 27.11.2019 passed by the learned Special Judge, SC/ST Act, Muzaffarpur, is set aside. Let the appellant, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction learned Special Judge, SC/ST Act, Muzaffarpur in connection with Complaint Case No.47 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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