

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1451 of 2021

Arising Out of PS. Case No.-360 Year-2020 Thana- KOTWA District- East Champaran

1. GOBARI SINGH Son of Late Wakil Singh Resident of Village - Patti Jasoli, P.S. - Kotwa, District - East Champaran, Motihari.
2. Indrajeet Singh Son of Late Wakil Singh Resident of Village - Patti Jasoli, P.S. - Kotwa, District - East Champaran, Motihari.
3. Sunil Singh Son of Late Ram Vilash Singh Resident of Village - Patti Jasoli, P.S. - Kotwa, District - East Champaran, Motihari.
4. Mukul Singh Son of Sunil Singh Resident of Village - Patti Jasoli, P.S. - Kotwa, District - East Champaran, Motihari.
5. Vikash Singh Gobari Singh Resident of Village - Patti Jasoli, P.S. - Kotwa, District - East Champaran, Motihari.
6. Dilip Singh Son of Late Ramji Singh Resident of Village - Patti Jasoli, P.S. - Kotwa, District - East Champaran, Motihari.
7. Raj Kishore singh Son of Late sita Ram Singh Resident of Village - Patti Jasoli, P.S. - Kotwa, District - East Champaran, Motihari.
8. Vibha Devi Wife of Raj Kishore Singh Resident of Village - Patti Jasoli, P.S. - Kotwa, District - East Champaran, Motihari.
9. Sonu Singh Son of Ram Chandra Singh Resident of Village - Patti Jasoli, P.S. - Kotwa, District - East Champaran, Motihari.

... .. Appellant/s

Versus

THE STATE OF BIHAR Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sharda Nand Mishra, Advocate
For the Respondent/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-10-2021 Heard learned counsel for the appellants and the

learned Spl. P.P. for the State.

This appeal, under Section 14(A)(2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
1989, is filed against the order dated 20.10.2020 passed in ABP



No. 2413 of 2020, whereby and whereunder the learned 1st Additional Sessions Judge cum Special Judge, East Champaran, Motihari rejected the prayer of pre-arrest bail of the appellants in connection with Kotwa P.S. Case No. 360 of 2020 registered under Sections 147, 149, 323, 341, 504, 436 and 554B of the Indian Penal Code and Sections 3(i) (r), 3 (1) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Learned counsel for the appellants submits that the appellants have falsely been implicated in this case and there is general and omnibus allegation against them. It is further submitted that the first information report has been lodged after two days of the occurrence. It is further submitted that the matter has been compromised between the parties, as contained in Annexure -2. It is further submitted that no case is made out under the provisions of the SC/ST Act.

Having considered the facts and circumstances of the case, the impugned order dated 20.10.2020 is set aside and this appeal is allowed.

Let the appellants, above named, be released on bail, in the event of his/their arrest or surrender before the learned court below within a period of four weeks from today, 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 Session Judge cum Special Judge, SC/ST Act, East Champaran, Motihari in connection with Kotwa P.S. Case No. 360 of 2020.

(Sunil Kumar Panwar, J)

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