

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.556 of 2020

Arising Out of PS. Case No.-178 Year-2019 Thana- TEGHRHA District- Begusarai

1. LALJI JHA Son of Late Bhawesh Jha
 2. Vivek Jha Son of Late Bhawesh Jha
- Both are resident of Barauni-2, Ward No. 3, P.S.- Teghra, District- Begusarai

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Rakesh Prabhat
For the Respondent/s	:	Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 09-03-2021 Heard both sides.

The appellants filed this appeal under Section 14(A) (2) of the S.C./S.T.(POA) Act against the order dated 17.01.2020 passed by learned Special Judge, SC/ST(POA) Act, Begusarai by which the anticipatory bail of the appellants has been rejected in Teghra P.S. Case No.178 of 2019 registered under Sections 147, 148, 341, 323, 504, 506, 384, 385, 379 and 307 of the Indian Penal Code and under Section 3(r)(s) of the S.C./S.T. Act.

In sum and substance, the informant alleged that appellant No.1 took cloths on credit from the shop of the informant on assurance to pay the same till 17.05.2019. When the informant requested the appellant No.1 to pay the dues on



17.05.2019, the appellant No.1 is said to have become furious and thereafter all the accused persons surrounded the informant and his niece. Appellant No.2 assaulted the informant with butt of pistol on his head and other accused persons assaulted the niece of the informant by rod.

Learned counsel for the appellants submits that appellants and informant has already entered into compromise and now the relations among them has become cordial. Similarly situated other accused persons namely, Siko Jha, Gautam Jha, Pintu Jha @ Pinchu Jha and Lokesh Jha have been granted anticipatory bail by a Co-ordinate Bench of this Court vide order passed in Cr. Appeal(SJ) No.4246 of 2019, Cr. Appeal (SJ) No.4290 of 2019 and Cr. Appeal(SJ) No.470 of 2020. The case of the appellants stands on the same footing.

Mr. Sadanand Paswan, learned Special P.P. did not dispute the fact that similarly situated other accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court.

Taking into consideration the facts aforesaid and the fact that similarly situated four other accused persons have been granted anticipatory bail, the appeal is allowed, the order dated 17.01.2020 is set aside and let the appellants, above named, in



the event of their arrest or surrender within a period of four weeks be released on 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 Special Judge, SC/ST(POA) Act, Begusarai in connection with Teghra P.S. Case No.178 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Saurabh/-

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

