

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.558 of 2020**

Arising Out of PS. Case No.-45 Year-2018 Thana- SC/ST District- Darbhanga

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1. SAROJ KUMAR RAI @ SAROJ RAI Son of Kamal Kishore Rai
  2. Awadhesh Rai Son of Kamal Kishore Rai
  3. Naresh Rai Son of Kamal Kishore Rai
  4. Kamal Kishore Rai Son of Late Buchchi Rai
  5. Wakil Rai @ Wokil Rai Son of Late Buchchi Rai
  6. Ramanand Rai Son of Ram Prakash Rai  
1 to 6 all residents of Village - Baraniya, P.S.- Kuseshwar Asthan, District - Darbhanga.
  7. Rambir Rai Son of Puchchi Rai Resident of Village - Rampur, P.S.- Singhia, District - Samastipur.
  8. Jaibind Rai Son of Ram Chandra Rai Resident of Village - Dhanga, P.S.Jamalpur, District - Darbhanga.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Ranjit Kumar Yadav  
For the Respondent/s : Mrs.Usha Kumari 1

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**

ORAL ORDER

4      08-03-2021      Heard both sides.

The appellants filed this appeal under Section 14(A) (2) of the S.C./S.T. Act against the order dated 06.11.2019 passed by learned Additional Sessions Judge I-cum-Special Judge(POA Act), Darbhanga by which the anticipatory bail of the appellants has been rejected in Darbhanga S.C./S.T. Case



No.45 of 2018 registered under Sections 341, 323, 384, 354, 504, 506 and 34 of the Indian Penal Code and under Section 3(1)(r), 3(1)(s) of the S.C./S.T. Act.

The learned counsel for the appellants submits that occurrence took place on account of land dispute. The informant claimed to have purchased the land of Khesra No.3243 Khata No.340 situated in Rampur Raut Tola Dhaboliya from Bhuvneshwari Devi, wife of Dev Narayan Rai but the appellants have purchased the same land much earlier. The informant by filing this case, invoking the provisions of S.C./S.T. Act, wants to create undue pressure so that the appellants may relinquish their right and title over the land.

Taking into consideration the facts aforesaid and nature of allegation made against the appellants and the fact that on the face of it, it appears that on account of land dispute the present case is filed, the appeal is allowed, the order dated 06.11.2019 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 Additional Sessions Judge I-cum-Special Judge(POA Act), Darbhanga in connection with



Darbhanga S.C./S.T. Case No.45 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

Saurabh/-

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