

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1801 of 2021

Arising Out of PS. Case No.-110 Year-2020 Thana- TARAPUR District- Munger

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1. Sonu Mandal @ Sonu Kumar, aged about 31 years, male, S/o Okil Mandal
 2. Chandan Mandal @ Chandan Kumar Mandal, aged about 28 years, male,
S/o Jawahar Mandal
 3. Jawahar Mandal, aged about 50 years, male, S/o Late Mahendra Mandal
- All are R/o Village-Saroun, P.S.-Tarapur, District-Munger.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Amrendra Kumar Sinha - No.1, Adv.
For the Respondent/s : Mr. Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 14-07-2021 Heard Mr. Amrendra Kumar Sinha - No. 1, the

learned Advocate for the appellants and the learned

Special Public Prosecutor for the State.

The appellants have challenged the order dated

21.08.2020 passed by the learned 1st Addl. Sessions

Judge, Munger in connection with Tarapur P.S. Case No.

110 of 2020, instituted for the offences under Sections



147, 148, 149, 341, 504 and 506 of the Indian Penal Code and Section 3(i)rs of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby their prayer for grant of anticipatory bail has been rejected.

It is alleged in the F.I.R. that in a function, music was being played on a high volume. When the volume was asked to be lowered down, the appellants are said to have abused and demeaned the members of the prosecution party.

The learned counsel for the appellants has submitted that because of the dispute between two factions of the village, this case has been lodged with completely distorted facts. There is a counter version of the occurrence as well lodged by one of the accused persons of this case, *viz.*, Sintu Singh *vide* Tarapur P.S. Case No. 109 of 2020. It has further been submitted that the accusation is general and omnibus in nature and the invocation of the provisions of the SC/ST (Prevention of Atrocities) Act is highly motivated.



Regard being had to the afore-noted submissions, the order dated 21.08.2020, referred to above, is set-aside.

The appellants, above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge, Munger in connection with Tarapur P.S. Case No. 110 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The appeal stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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