

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1767 of 2021

Arising Out of PS. Case No.-25 Year-2020 Thana- SC/ST District- Rohtas

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1. SHANKAR SAH SON OF LATE KESHO SAH R/O VILLAGE- SEWAI, P.S.- TILAUTHU, DIST.- ROHTAS
 2. CHHOTE LAL @ CHHOTE SAH @ CHHOTELAL GUPTA SON OF SHANKAR SAH R/O VILLAGE- SEWAI, P.S.- TILAUTHU, DIST.- ROHTAS
 3. BHAGWAN SAH @ SRI BHAGWAN SAH SON OF MUNDRIKA SAH R/O VILLAGE- SEWAI, P.S.- TILAUTHU, DIST.- ROHTAS
 4. SIKANDRA SAH @ SIKANDAR KUMAR SON OF CHANDRIKA SAH R/O VILLAGE- SEWAI, P.S.- TILAUTHU, DIST.- ROHTAS

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Kumar Tiwari
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 13-09-2021 Heard the learned counsel for the appellants and

the learned Special Public Prosecutor for the State.

The appellants have challenged the order dated

25.08.2020 passed by the learned Additional District and

Sessions Judge, Rohtas at Sasaram in S.C./S.T. P.S. Case

No. 25/2020, whereby the prayer made on behalf of the

appellants for grant of anticipatory bail for the offences

under Sections 147, 148, 149, 341, 323, 307, 324, 325,

354B, 427 and 379 of the Indian Penal Code and Section



3(ii)(Va) of the SC/ST (POA) Act has been rejected.

The appellants and others are alleged to have assaulted the informant over a dispute on a plot of land. There is counter version of the occurrence as well.

The learned counsel for the appellants has submitted that the appellants have caused only simple injuries to victim. The person, who has caused grievous injury to the informant is not one of the appellants before this Court.

Considering this argument, case diary was called for from the court below and the appellants were granted provisional bail.

Perused the case diary. The appellants are not alleged to have caused grievous injury to the informant rather it has been attributed to other accused persons.

For the reasons afore-stated, the order dated 25.08.2020 passed by the learned Additional District and Sessions Judge, Rohtas at Sasaram, is set aside.

The appeal stands allowed.



The provisional bail granted to the appellants vide order dated 09.07.2021 is hereby confirmed. The appellants shall remain on the same bail bonds.

(Ashutosh Kumar, J)

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