

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL APPEAL (SJ) No.1803 of 2021

Arising Out of PS. Case No.-26 Year-2020 Thana- SC/ST District- Jehanabad

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1. Binod Ram, aged about 50 years, male, Son of Chandeshwar Ram
 2. Pramod Ram, aged about 48 years, male, Son of Chandeshwar Ram
 3. Pintu Ram, aged about 30 years, male, Son of Chandeshwar Ram
 4. Mukesh Ram, aged about 24 years, male, Son of Anuj Ram
 5. Manu Ram @ Monu Ram, aged about 19 years, male Son of Anuj Ram
 6. Kanti Devi @ Kunti Devi @ Kusum Devi, aged about 45 years, female,
Wife of Anuj Ram

All are resident of Village - Keur, Police Station - Hulasganj, District -
Jehanabad.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manoj Kumar, Adv.

For the Respondent/s : Mr. Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 14-07-2021

Heard Mr. Manoj Kumar, the learned Advocate
for the appellants and the learned Special Public
Prosecutor for the State.

The appellants have challenged the order dated
04.02.2021 passed by the learned 1st Addl. District



Judge, Jehanabad in connection with Jehanabad SC/ST P.S. Case No. 26 of 2020, instituted for the offences under Sections 341, 323, 354, 504 and 34 of the Indian Penal Code and Sections 3(1)(r)(s)(w) and 3(2)(Va) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby their prayer for grant of anticipatory bail has been rejected.

It has been alleged in the F.I.R. that the appellants have assaulted and demeaned the members of the prosecution party over channelizing the drainage.

The learned counsel for the appellants has submitted that nothing specific has been attributed against them in this case. There is a pending land dispute between the parties and with respect to such dispute, the Block Development Officer has also been apprised of.

Considering the background facts, it has been argued, the offences under the SC/ST (Prevention of Atrocities) Act has deliberately been added. It has further been submitted that the F.I.R. has been lodged



after a delay of five days and the injuries suffered by the victims are all stated to be simple in nature.

Regard being had to the aforesaid submissions, the order dated 04.02.2021, 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. District Judge, Jehanabad in connection with Jehanabad SC/ST P.S. Case No. 26 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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