

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1842 of 2021

Arising Out of PS. Case No.-83 Year-2020 Thana- SANJHOLI District- Rohtas

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1. Golden Kumar, male, aged about 23 years, S/o Ram Pravesh Choudhary
 2. Dhananjay Kumar @ Harish Kumar, male, aged about 22 years, S/o Harendra Choudhary
 3. Gorakh Kumar @ Ravi Ranjan Kumar, male, aged about 30 years, S/o Ram Murty Chaudhary

All are R/o Village- Karmaini, P.S.- Sanjhauli, District- Rohtas.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Ms. Perna Rishi, Adv.

For the Respondent/s : Ms. Usha Kumari-1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 15-07-2021

Heard Ms. Perna Rishi, the learned Advocate
for the appellants and Ms. Usha Kumari-1, the learned
Special Public Prosecutor for the State.

The appellants have challenged the order dated
25.01.2021 passed by the learned Addl. District and
Sessions Judge-I-Cum-Special Judge, S.C./S.T., Rohtas



at Sasaram in connection with Sanjhauli P.S. Case No. 83 of 2020, instituted for the offences under Sections 341, 323, 504 and 506 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby their prayer for grant of anticipatory bail has been rejected.

As the prosecution case stands, the appellants are said to have assaulted and abused the members of the prosecution party.

The learned counsel for the appellants has submitted that no such occurrence as reported in the F.I.R. ever took place. There is some dispute between the parties with respect to irrigating the field. The report about scuffle has unnecessarily been exaggerated and an effort has been made by the informant to anyhow add the mischief of S.C./S.T. (Prevention of Atrocities) Act. It has further been submitted that nobody appears to have been injured in the occurrence in any serious manner and considering the futility of the litigation, the



parties have decided to jettison their differences and the informant now does not wish to prosecute the appellants any further.

Regard being had to the aforesaid facts, the order dated 25.01.2021, 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 Addl. District and Sessions Judge-I-Cum-Special Judge, S.C./S.T., Rohtas at Sasaram in connection with Sanjhauli P.S. Case No. 83 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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