

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1234 of 2020

Arising Out of PS. Case No.-307 Year-2019 Thana- BASOPATTI District- Madhubani

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1. SACHIN THAKUR @ SACHIN KUMAR THAKUR S/o Ram Kumar Thakur Resident of village- Fjot, P.S. - Basopatti, District - Madhubani.
 2. Ram Kumar Thakur S/O Ramdeo Thakur Resident of village- Fjot, P.S. - Basopatti, District - Madhubani.
 3. Triyuga Devi Wife of Ram Kumar Thakur Resident of village- Fjot, P.S. - Basopatti, District - Madhubani.
 4. Binod Thakur @ Binod Kumar Thakur S/O Sri Ramdeo Thakur Resident of village- Fjot, P.S. - Basopatti, District - Madhubani.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ratanakar Jha, Advocate
For the Respondent/s : Mr.Suresh Prasad Singh, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 23-03-2021 Heard learned counsel for the appellants and learned
Special P.P. for the State.

Learned counsel for the appellants is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The matter relates to grant of anticipatory bail to the appellants in connection with a case registered for the offences under Sections 342, 323, 324, 307, 354(B), 504, 506/34 of the Indian Penal Code and Sections 3(1)(x)(r)(s) of the SC/ST (Prevention of Atrocities) Act, 1989.



The prosecution case, in short is that the appellants No.2 to 4 instigated appellant No.1 and misbehaved and abused the informant. Appellant No.1 assaulted with knife on stomach of the informant.

It has been submitted on behalf of the appellants that the appellants have got no criminal antecedent and there is no allegation of tampering of witnesses alleged against the appellants. The appellants have falsely been implicated in the present case. It is a case and counter case between the parties. The nature of injury is said to be simple. The alleged occurrence has not taken place within public view. Hence no offence under the SC/ST Act is attracted in the present case.

On behalf of the State, it is submitted that the appellants are named in the F.I.R.

In view of the aforesaid facts and circumstances, the order dated 10.02.2020, passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani vide A.B.P. No.1964 of 2019 in connection with Basopatti P.S. case No.307 of 2019 corresponding to G.R. No.174 of 2019, is set aside. The criminal appeal is allowed.

Accordingly, the appellants, above named, in the event of arrest/surrender before the learned court below within a



period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani in connection with Basopatti P.S. case No.307 of 2019 corresponding to G.R. No.174 of 2019.

(Sudhir Singh, J)

Narendra/-

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