

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2209 of 2021

Arising Out of PS. Case No.-18 Year-2020 Thana- SC/ST District- Jehanabad

1. Jay Ram Sharma Son of Late Kapildeo Sharma Resident of Village- Paharpura, P.S.- Karpi, District- Arwal.
2. Ranjeet Kumar @ Ranjeet Sharma Son of Jay Ram Sharma Resident of Village- Paharpura, P.S.- Karpi, District- Arwal.
3. Gonu Kumar @ Keshav Kumar Son of Subodh Sharma Resident of Village- Paharpura, P.S.- Karpi, District- Arwal.
4. Subodh Sharma @ Munna Sharma Son of Late Raghubansh Sharma Resident of Village- Paharpura, P.S.- Karpi, District- Arwal.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Vivek Anand Kumar
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 25-10-2021 Learned counsel for the appellants is permitted to make correction in the alias name of appellant no.3 during course of the day.

Heard learned counsel for the appellants and learned Special P.P. for the State.

The appellants seek pre-arrest bail in connection with Arwal P.S. Case No.18 of 2020 registered under Sections 341, 323, 385 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Learned counsel for the appellants submits that the appellants have falsely been implicated in the present case. There is a land dispute prevailing in between the parties. On

perusal of Annexure – 2 and 3, it would be evident that the informant of the present case filed another case being Arbal P.S. Case No.16 of 2020 against Golu Kumar (appellant) & others, and his malik Ranjan Sharma filed a criminal case being Karpi P.S. Case No.196 of 2020 for the same occurrence against the appellants. It is further submitted that there was a panchayati between the parties held on 09.04.2008 as is evident from Annexure 4 to this application.

Having considered the facts and circumstances of the case, let the above named appellants be released on bail, in the event of arrest or surrender, on furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge (SC/ST Act), Jehanabad in connection with Arwal P.S. Case No.18 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Accordingly, the appeal is allowed and the impugned order dated 02.02.2021 passed in A.B.P. No.1391 of 2020 is set aside.

(Arvind Srivastava, J)

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