

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.342 of 2021**

Arising Out of PS. Case No.-153 Year-2019 Thana- BELSAND District- Sitamarhi

1. KUNDAN KUMAR PANDEY, Son of Late Ram Kishore Pandey Resident of Village- New Sabalpur, P.S.- Barhara, District- Bhojpur (Ara).
2. Vikash Pandey, Son of Mithilesh Pandey Resident of Village- New Sabalpur, P.S.- Barhara, District- Bhojpur (Ara).

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bachan Jee Ojha

For the Respondent/s : Mr.

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

2 29-06-2021 Heard Mr. Bachan Jee Ojha, learned Advocate

for the appellants and Mr. Binay Krishna, learned Special

Public Prosecutor for the State.

This appeal is directed against the order dated

12.06.2020, passed by the learned A.D.J. 1st cum

Special Judge, Sitamarhi, in ABP No. 558 of 2020 / 83

of 2020, arising out of Belsand P. S. Case No. 153 of

2019, whereby the prayer made on behalf of the

appellants for grant of anticipatory bail for the offences

punishable under Sections 448, 341, 323, 419, 420,

354B, 427, 504, 506 and 34 of the Indian Penal Code,



has been rejected.

The appellants are stated to have reaped the standing crops on the land of one Abhishek Kumar Pandey and when this was protested by the informant, he was abused and assaulted.

The learned counsel for the appellants has submitted that the land in question was purchased by the appellants from aforesaid Abhishek Kumar Pandey but he wanted to have the land returned at the cost which was paid in the year 2007. It is precisely for this reason that aforesaid Abhishek Kumar Pandey has set up the informant to institute a false case against the appellants.

Regard being had to the nature of accusation against the appellants and the background facts, the order dated 12.06.2020, passed by the learned A.D.J. 1st cum Special Judge, Sitamarhi, is set aside.

The appeal stands allowed.

The appellants, above-named, are directed to



be released on bail, in the event of their arrest or
surrender before the court below within a period of eight
weeks from the date of receipt / production of a copy of
this order, on their furnishing bail bonds in the sum of
Rs. 10,000 /- (Ten Thousand) each with two sureties of
the like amount each to the satisfaction of the learned
A.D.J. 1st cum Special Judge, Sitamarhi, in connection
with Belsand P. S. Case No. 153 of 2019, subject to
the conditions as laid down under Section 438 (2)
Cr.P.C.

(Ashutosh Kumar, J)

skm/-

U		T	
---	--	---	--

