

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2177 of 2020**

Arising Out of PS. Case No.-84 Year-2019 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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1. Saryug Sahni @ Sarjug Sahni S/o Late Gado Sahni, Resident of Village - Khanua, P.S. - Vidyapatinagar, District - Samastipur.
 2. Pramod Sahni @ Ram Pramod Sahni S/o Saryug Sahni @ Sarjug Sahni Resident of Village - Khanua, P.S. - Vidyapatinagar, District - Samastipur.
 3. Motilal Sahni @ Moti Sahni S/o Saryug Sahni @ Sarjug Sahni, Resident of Village - Khanua, P.S. - Vidyapatinagar, District - Samastipur.... Appellant/s
- Versus
1. The State of Bihar
 2. Suresh Sada Son of Late Munni Sada, Resident of Village - Simri, P.S. - Vidyapatinagar, District – Samastipur. Respondent/s
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Appearance :

For the Appellant/s : Mr. Suneil Kumar Thakur
For the Respondent/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 26-02-2021 Heard learned counsel for the appellants and learned counsel for the State.

The appeal is admitted.

This is an appeal under section 14 (A) (2) of the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act, 1989, against the refusal of prayer for bail vide order dated 20.03.2020 passed by 1st Additional Sessions Judge, Samastipur in connection with Complaint Case No. 84 of 2019 registered for offence punishable under sections 323, 504 of the Indian Penal Code and sections 3 (i) (r) (s) of the SC/ST (POA) Act whereby and whereunder the prayer for anticipatory bail made on behalf of the appellants has been rejected.



Allegation has been made that dispute arose on account of payment of wages. When the informant had gone to the appellant for demand of outstanding wages, he had taken the caste name and assaulted the victim with fists and slaps.

Looking to the facts and circumstances of the case, the impugned order dated 20.03.2020 is set aside and the appellants above named, in the event of arrest or surrender before the court below within six weeks from today, are directed to be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge, Samastipur in connection with Complaint Case No. 84 of 2019, subject to the condition that one of the bailors of the appellants shall be their close relative. The appellants will not induce any witness or tamper with the evidence. The appellants shall cooperate in the disposal of trial and make themselves available as and when required by the court. In case of failure on two consecutive dates without any valid reason, the court below shall be at liberty to cancel the bail bonds of the appellants.

Accordingly, this appeal is allowed.

(Shivaji Pandey, J)

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