

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1920 of 2020

Arising Out of PS. Case No.-222 Year-2020 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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1. Surendra Pandey Son Of Gaya Pandey Resident Of Village - Mani Fulkaha, P.S. Kanti (Panapur O.P.), District - Muzaffarpur.
 2. Aman Pandey Son Of Surendra Pandey Resident Of Village - Mani Fulkaha, P.S. Kanti (Panapur O.P.), District - Muzaffarpur.

... .. Appellants

Versus

1. The State of Bihar
2. Pramila Devi W/o Raju Paswan Resident of Village - Manifulkaha, P.S. Kanti, Distt. - Muzaffarpur.

... .. Respondents

with
CRIMINAL APPEAL (SJ) No. 1933 of 2020

Arising Out of PS. Case No.-222 Year-2020 Thana- KANTI THARMAL POWER District-
Muzaffarpur

-
1. Ranjit Pandey Son Of Nathuni Pandey Resident Of Village- Mani Fulkaha, P.S. Kanti (panapur O.P.), District - Muzaffarpur.
 2. Rajesh Pandey Son Of Nathuni Pandey Resident Of Village Mani Fulkaha, P.S. Kanti (panapur O.P.), District - Muzaffarpur.

... .. Appellants

Versus

1. The State Of Bihar
2. Pramila Devi Wife of Raju Paswan Resident of Village - Mani Fulkaha, P.S. Kanti District - Muzaffarpur.

... .. Respondents

Appearance :

(In CRIMINAL APPEAL (SJ) No. 1920 of 2020)

For the Appellant/s : Mr.Arun Kumar, Advocate

For the Respondent/s : Mr.A.G.

(In CRIMINAL APPEAL (SJ) No. 1933 of 2020)

For the Appellant/s : Mr.Arun Kumar, Advocate

For the Respondent/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 01-03-2021 Both the criminal appeals arise out of the same police case as well as same impugned order dated 8.7.2020, as such they are heard together and are being disposed of with this



common order.

Heard learned counsel for the parties.

The present appeals are directed against the order dated 8.7.2020, passed by learned Additional Sessions Judge – IX cum Special Judge, SC/ST Act, Muzaffarpur in a case registered for the offence punishable under Sections 341,323,308,504,506/34 of the Indian Penal Code and Section 3 (i) (r) (s) of the SC/ST Act, whereby anticipatory bail of the appellants has been rejected.

As per the prosecution case, all the appellants and other accused persons, armed with weapons, came to the informant's house and started abusing and assaulting her son causing him grievous injuries on the head.

Learned counsel for the appellants submits that the appellants have falsely been implicated in this case. He submits that in fact some scuffle took place during cutting of wheat and payment of wages and no injury has been caused to the informant side. No offence under the SC/ST Act is made out against the appellants. Appellants have got clean antecedent as stated in paragraph 3 of the bail petition.

Learned counsel for the state on the other hand opposes the prayer for bail.



Having regard to the submissions made by the parties and taking into consideration the materials available on record, both the appeals are allowed and the impugned order dated 8.7.2020 is set aside.

Accordingly, in the event of arrest or surrender by the appellants, above named, before the court below within eight weeks from today, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge–IX cum Special Judge, SC/ST Act. , Muzaffarpur in Kanti Police Station Case No. 222 of 2020.

(Prabhat Kumar Singh, J)

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