

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3109 of 2021

Arising Out of PS. Case No.-57 Year-2020 Thana- RUNISAIDPUR District- Sitamarhi

1. Basant Jha, aged about 61 years, male, Son of Shravan Jha
 2. Raghuvir Jha, aged about 27 years, male, Son of Basant Jha
- Both are R/o Village- Hisar, P.S.- Runnisaidpur, District- Sitamarhi.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Alok Kumar Jha, Adv.

For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 26-08-2021 Heard the counsel for the parties.

The appellants have challenged the order dated 02.07.2021 passed by the learned 1st Addl. Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Sitamarhi in connection with Runnisaidpur P.S. Case No. 57 of 2020, instituted for the offences under Sections 341, 323, 354 and 504 of the Indian Penal Code and Section 3(i)(r)(s) of the S.C./S.T. (Prevention of Atrocities) Act, 1989,



whereby their prayer for grant of anticipatory bail has been rejected.

The accusation in the F.I.R. is of assaulting and abusing the members of the prosecution party. The occurrence arose because of a dispute over the price of eggs per dozen.

The fact of the matter, it has been urged, is that the appellants are the next door neighbours of the informant and there is a dispute between them with respect to a passage. It has further been submitted that nobody appears to have been injured in the occurrence and the accusation with respect to the breach of S.C./S.T. (Prevention of Atrocities) Act also appears to have been highly exaggerated.

For the reasons afore-stated, the order dated 02.07.2021, referred to above, is set-aside.

The appellants, above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum



of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge-cum-Special Judge, SC/ST (POA) Act, Sitamarhi in connection with Runnisaidpur P.S. Case No. 57 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The appeal stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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