

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1975 of 2020

Arising Out of PS. Case No.-385 Year-2017 Thana- WAJIRGANJ District- Gaya

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VIJAY PRASAD Son of Bineshwar Mahto Resident of Village - Maya Bigha,
P.S. - Wazirganj, District - Gaya.

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. Mostt. Punia Devi Wife of Late Ramu Manjhi Resident of village - Maya Bigha, P.S. - Wazirganj, District - Gaya.

... .. Respondent/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-01-2021 Heard learned counsel for the appellant and the State.

The present memo of appeal has been filed on behalf of the appellant for grant of anticipatory bail against the order dated 20.03.2020 passed by learned Exclusive Special Judge, SC/ST, Gaya in connection with Wazirganj P.S. Case No. 385 of 2017 under Sections 147, 148, 149, 341, 323, 379, 504 and 506 of the Indian Penal Code and section 3(i)(s) of the SC/ST Act whereby and whereunder the prayer for anticipatory bail of the appellant was rejected.

Prosecution case in brief is that on 14.08.2017, appellant along with other accused persons variously armed



came at the field of informant's father-in-law and damaged boundary wall of the field and started planting other crops. On being protested by the informant, the accused persons abused her by calling her caste name and threatened of dire consequence. It is further alleged that this appellant has also snatched one silver chain and cash of Rs. 200/- from possession of informant.

It is submitted on behalf of appellant that there is land dispute between the parties. On account of land dispute, some scuffle took place between the parties. Moreover, FIR has been lodged after delay of seven days without any plausible explanation. Appellant has got clean antecedent, as stated in para 3 of the petition.

Considering the aforesaid facts, this appeal is allowed. The impugned order dated 20.03.2020 passed by learned Exclusive Special Judge, SC/ST, Gaya, is set aside.

Let the appellant above-named, in the event of his arrest/surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge



SC/ST, Gaya in connection with Wazirganj P.S. Case No. 385 of
2017.

(Prabhat Kumar Singh, J)

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