

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2025 of 2020

Arising Out of PS. Case No.-67 Year-2020 Thana- SIKARPUR District- West Champaran

1. DEVNATH SAH Son of Late Kanhaiya Sah Resident of Village - Murli Pariya, P.S.- Sikarpur, District - West Champaran.
2. Ranju Devi @ Rinju Devi Wife of Hoshilla Sah
Both are resident of Village - Murli Pariya, P.S.- Sikarpur, District - West Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Binay Kumar
For the Respondent/s	:	Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-01-2021 Heard learned counsel for the appellants and learned Special P.P. for the State.

The present appeal has been filed against the order dated 31.08.2020 passed by learned 1st Additional District and Sessions Judge cum Special Judge, SC/ST, West Champaran, at Bettiah, in connection with Sikarpur P.S. Case No. 67/2020 registered for the offences punishable under Sections 341/323/504/34 of the Indian Penal Code and Sections 3(1)(r) (w)(s) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, whereby the prayer for anticipatory bail of appellants was rejected.

As per the prosecution case, on 13.02.2020 at about



10 a.m. all the FIR named accused persons including these appellants, who are neighbours, came and asked for ransom. On denial, they abused and assaulted the informant and further threatened for dire consequence.

It is submitted on behalf of the appellants that there is general and omnibus allegation against these appellants. There is case and counter between them. It is further submitted that no one has sustained injury in the said occurrence and actually there is dispute between the parties over right of way. Appellants have clean antecedents.

Considering the aforesaid facts and circumstances as well as nature of allegation, the impugned order dated 31.08.2020 passed by learned 1st Additional District and Sessions Judge cum Special Judge, SC/ST, West Champaran at Bettiah, in connection with Sikarpur P.S. Case No. 67/2020 is set aside and appeal is allowed.

Accordingly, let the appellants, above named, in the event of arrest or surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on 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 1st Additional District and Sessions Judge



cum Special Judge, SC/ST, POCSO, West Champaran, at
Bettiah, in connection with Sikarpur P.S. Case No. 67/2020.

(Prabhat Kumar Singh, J)

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