

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2191 of 2020**

Arising Out of PS. Case No.-21 Year-2020 Thana- MAIGRA District- Gaya

1. Vinod Ram, Son of Late Kedar Ram
2. Jogendra Yadav, Son of Ramchandra Yadav
3. Samita Devi @ Asmita Devi, W/o Jogendra Yadav
4. Ramchandra Yadav, Son of Late Ankush Yadav
5. Upendra Yadav, Son of Ramchandra Yadav,
6. Ranjan Ram, Son of Late Jitendra Ram

All are residents of Village- Simri, P.S.- Maigra, Distt- Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Arvind Kumar Singh, Advocate
For the Respondent/s : Mr. Usha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 17-04-2021 Heard learned counsel for the appellants and learned
counsel for the State.

This appeal is admitted.

This appeal has been filed against the order dated 09.09.2020 passed by learned Special Judge, SC/ST, Gaya in connection with Maigra P.S. Case No. 21/2020, registered for the offence punishable under Sections 341, 147, 323, 504, 506 of the Indian Penal Code and Sections 3 (2) (v), (v-a) of SC/ST (Prevention of Atrocities) Act by which the prayer of the appellants for grant of anticipatory bail has been rejected.



Allegation against the appellants is to have assaulted the informant's side and also hurled abuses by using caste name, however, counsel for the appellants submits that due to land dispute, the appellants have been falsely implicated in the present case and there is general and omnibus allegation against the appellants. He submits that all are bailable sections except the sections under SC/ST Act. Appellant nos. 1 and 6 are also belonging to SC/ST category. It is urged that the appellants have no criminal history.

Considering the facts and circumstances of the case, let the appellants, above-named, in the event of their arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Special Judge, SC/ST Act, Gaya in connection with Maigra P.S. Case No. 21 of 2020 subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with a further condition that the appellants shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

Accordingly, the impugned order is set aside and the



appeal is allowed.

(Shivaji Pandey, J)

V.K.Pandey/-

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