

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.341 of 2021

Arising Out of PS. Case No.-96 Year-2018 Thana- LAUKARIA District- West Champaran

1. SANTOSH JAISWAL @ SANTOSH PRASAD, S/o Jawahir Jaiswal R/o Village- Harnatand, P.S.- Laukariya, District- West Champaran.
2. Manoj Jaiswal, S/o Shambhu Jaiswal R/o Village- Harnatand, P.S.- Laukariya, District- West Champaran.
3. Samsad, S/o Roj Miyan R/o Village- Harnatand, P.S.- Laukariya, District- West Champaran.
4. Rahul Jaiswal, S/o Dinanath Jaiswal R/o Village- Harnatand, P.S.- Laukariya, District- West Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bimlesh Kumar Pandey
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 29-06-2021 Heard Mr. Bimlesh Kumar Pandey, learned Advocate for the appellants and Mr. Binay Krishna, learned Special Public Prosecutor for the State.

This appeal is directed against the order 03.07.2020, passed by the learned Additional District and Sessions Judge 1st cum Special Judge, West Champaran at Bettiah, in ABP No. 543 of 2020, arising out of Laukariya P. S. Case No. 96 of 2018, whereby the prayer made on behalf of the appellants for grant of



anticipatory bail for the offences punishable under Sections 147, 148, 149, 323, 341, 386, 504, 506 and 379 of the Indian Penal Code and Section 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, has been rejected.

The learned counsel for the appellants has submitted that the accusations are very trivial and therefore peace has been restored between the parties. The prosecution side has resolved not to prosecute the appellants hereinafter.

The injuries received by the informant have been reported to be simple in nature.

Considering the afore-stated facts, it does not appear to be a case where the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 could be attracted.

For the afore-stated reasons, the appeal is allowed.

The order dated 03.07.2020, passed by the



learned Additional District and Sessions Judge 1st cum
Special Judge, West Champaran at Bettiah, is set aside

The appellants, above-named, are directed to
be released on bail, in the event of their arrest or
surrender before the court below within a period of eight
weeks from the date of receipt / production of a copy of
this order, on their furnishing bail bonds in the sum of
Rs. 10,000 /- (Ten Thousand) each with two sureties of
the like amount each to the satisfaction of the learned
Additional District and Sessions Judge 1st cum Special
Judge, West Champaran at Bettiah, in connection with
Laukariya P. S. Case No. 96 of 2018, subject to the
conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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