

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No. 131 of 2021

Arising Out of PS. Case No.-70 Year-2020 Thana- GOPALPUR District- West Champaran

1. KHUDI SAH @ RAMSURAT SAH Son of Late Nathuni Sah Resident of Village- Jagarnathpur, P.S.- Gopalpur, District- West Champaran.
2. Krishna Sah Son of Khudi Sah @ Ramsurat Sah Resident of Village- Jagarnathpur, P.S.- Gopalpur, District- West Champaran.
3. Munna Sah @ Munna Kumar Sah Son of Sri Krishna Sah Resident of Village- Jagarnathpur, P.S.- Gopalpur, District- West Champaran.
4. Tunna Sah @ Tunna Kumar Sah Son of Sri Krishna Sah Resident of Village- Jagarnathpur, P.S.- Gopalpur, District- West Champaran.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Umesh Chandra Verma, Advocate
For the Respondent/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-10-2021 Heard learned counsel for the appellants and learned
Spl. P.P. for the State.

The appellants seek pre-arrest bail in connection with Anticipatory Bail Petition No. 1373 of 2020 arising out of Gopalpur P.S. Case No. 70 of 2020 for the offence registered under Sections 341, 323, 325, 379 and 504/34 the Indian Penal Code and Sections 3(i)(r) and 3 (2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Learned counsel for the appellants submits that there is general and omnibus allegation levelled against the appellants. It is further submitted that there is case and counter



case between the parties. No case is made out under the provisions of the SC/ST Act. It is further submitted that no injury report was produced by the prosecution to substantiate the allegation of assault. It is further submitted that the appellants have no criminal antecedent.

Having heard both sides and in the facts and circumstances of the case, let the appellants, above named, in the event of their arrest/surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge cum Special Judge, SC/ST Act, West Champaran, Bettiah in connection with Anticipatory Bail Petition No. 1373 of 2020 arising out of Gopalpur P.S. Case No. 70 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

Accordingly the appeal is allowed and the impugned order dated 19.09.2020 passed in A.B.P. No. 1373 of 2020 is hereby set aside.

(Sunil Kumar Panwar, J)

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