

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.118 of 2021**

Arising Out of PS. Case No.-270 Year-2020 Thana- BAGHA District- West Champaran

1. RAHUL KUMAR Son of Raju Sahani @ Ajay Chaudhary @ Ajay Kumar Resident of Village- Narainapur, Ward No. 05, P.S.- Bagaha Pathkholi O.P., District- West Champaran.
2. Govind Kumar Son of Dukhu Sahani Resident of Village- Narainapur, Ward No. 05, P.S.- Bagaha Pathkholi O.P., District- West Champaran.
3. Manish Kumar @ Manish @ Kalu Kumar Son of Raju Sahani @ Ajay Chaudhary @ Ajay Kumar Resident of Village- Narainapur, Ward No. 05, P.S.- Bagaha Pathkholi O.P., District- West Champaran.
4. Pawan Kumar Son of Raju Sahani @ Ajay Chaudhary @ Ajay Kumar Resident of Village- Narainapur, Ward No. 05, P.S.- Bagaha Pathkholi O.P., District- West Champaran.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Kaushal Kishor, Advocate
For the Respondent/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 26-10-2021 Heard learned counsel for the appellants and learned
Additional Public Prosecutor for the State.

The appellants seek pre-arrest bail in connection with Bagaha Pathkholi P.S. Case No. 270 of 2020 for the offence registered under Sections 147, 149, 342, 323, 324, 504 and 506 of the Indian Penal Code and Sections 3(i)(r)(s)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Learned counsel for the appellants submits that the appellants have been falsely implicated in this case due to *mala fide* and malicious intention. It is further submitted that the appellants



themselves belong to scheduled castes, as such, no case is made out under the provisions of the SC/ST Act. It is further submitted that the matter has been compromised between the parties as contained in Annexure-4 to the appeal. 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 District and Sessions Judge cum Special Judge, Bettiah, West Champaran in connection with Bagaha Pathkholi P.S. Case No. 270/2020 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 08.09.2020 passed in A.B.P. No. 1369 of 2020 is hereby set aside.

(Sunil Kumar Panwar, J)

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