

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3682 of 2021

Arising Out of PS. Case No.-57 Year-2021 Thana- DIGHWARA District- Saran

1. SHIVAM SINGH @ SUBHAM KUMAR @ SHIVAM KUMAR SINGH
Son of Binay Singh @ Bhupesh Singh Resident of Village - Barbana, P.S.-
Dighwara, District - Saran.
2. Nishant Kumar Singh @ Sunny Singh Son of Binay Singh @ Bhupesh
Singh Resident of Village - Barbana, P.S.- Dighwara, District - Saran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Rakesh Kumar Singh, Adv.
For the Respondent/s	:	Mr.Usha Kumari 1, Spl.P.P. Mr.Mukesh Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 16-11-2021 Heard the parties.

This is an appeal under section 14A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for anticipatory bail vide order dated 31-07-2021 passed by learned 1st Additional Sessions Judge -cum- Special Judge SC/ST (Prevention of Atrocities) Act, Saran at Chapra, in connection with Dighwara P.S. Case No.57 of 2021, registered under sections 341/323/324/307/504/506/34 of the IPC and sections 3(1)(r)(s) and 3(2)(Va) SC/ST (POA) Act.

The accusation against both the appellants is of giving knife blows to the informant as a result of which he has received injuries in his stomach.



It is submitted by learned counsel for the appellants that appellants have no concern with the aforesaid occurrence and have been falsely implicated in the case. No case is made out against the appellants. There is a land dispute between the parties for which title suit bearing Title Suit No.107/2003 is going on. There is case and counter-case between the parties and both the sides have sustained simple injuries. It is further submitted that vide order dated 07.10.2021, the co-ordinate Bench of this Court has granted provisional bail to the appellants.

Learned Spl. PP for the State and learned counsel for the Informant have opposed the prayer for anticipatory bail on the ground that there is specific accusation of knife blows on the informant and the appellants have abused the informant's side.

In the facts and circumstance of the case, the provisional anticipatory bail granted to the appellants named above is hereby confirmed.

Accordingly, the impugned order is set aside and this appeal is allowed

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

