

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.123 of 2021**

Arising Out of PS. Case No.-1102 Year-2019 Thana- ARA NAWADA District- Bhojpur

1. KUNJ KUMAR TIWARI Son of Ram Sakal Tiwari Resdent of Village - Anaith Milki (West of Kali Mandir), P.s.- Ara Nawada, Distt.- Bhojpur, Ara.
2. Bipin Kumar Tiwari Son of Ram Sakal Tiwari Resdent of Village - Anaith Milki (West of Kali Mandir), P.s.- Ara Nawada, Distt.- Bhojpur, Ara.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Malti Kumari, 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  
SC/ST Case No. 1 of 2020 arising out of Ara Nawada P.S. Case  
No. 1102 of 2019 for the offence registered under Sections 283,  
504 and 506 of the Indian Penal Code and Sections 3(i)(r)(s) of  
the Scheduled Castes and Scheduled Tribes (Prevention of  
Atrocities) Act.

Learned counsel for the appellants submits that the  
appellants have been falsely implicated in this case due to local  
party politics. It is further submitted that no case is made out  
under the provisions of the SC/ST Act. It is further submitted



that the allegation levelled against the appellants general and omnibus in nature. 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 1<sup>st</sup> Additional District and Sessions Judge, Bhojpur, Ara in connection with SC/ST Case No. 01 of 2020 arising out of Ara Nawada P.S. Case No. 1102 of 2019, 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 25.09.2020 passed in A.B.P. No. 1844 of 2020 is hereby set aside.

**(Sunil Kumar Panwar, J)**

Jagdish/-

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