

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.753 of 2021

Arising Out of PS. Case No.-62 Year-2020 Thana- AMNAUR District- Saran

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1. Vinod Kumar Rai, Son of Madan Rai, Resident of Village- Doman Chapra, P.O. and P.S.- Amnour, Distt- Saran (Chapra).
 2. Abhishek Kumar, Son of Mithalesh Ojha, Resident of Village- Doman Chapra, P.O. and P.S.- Amnour, District- Saran (Chapra).
 3. Satendra Ray, Son of Haresh Rai @ Harsh Kumar Ray, Resident of Village- Amnour Harnarayan, P.O. and P.S.- Amnour, Distt- Saran (Chapra).

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Suresh Prasad, Adv.

For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 19-07-2021 Heard Mr. Suresh Prasad, the learned

Advocate for the appellants and Mr. Binay Krishna, the

learned Special Public Prosecutor for the State.

The appellants have challenged the order dated

15.10.2020 passed by the learned 1st Addl. Sessions

Judge-Cum-Special Judge, S.C./S.T. (POA) Act, Saran at



Chapra in connection with Amnour P.S. Case No. 62 of 2020, instituted for the offences under Sections 341, 323, 354, 504 and 506/34 of the Indian Penal Code and Section 3(1)(r)(s) and W(i) of the S.C./S.T. (Prevention of Atrocities) Act, 1989, whereby their prayer for grant of anticipatory bail has been rejected.

It has been alleged against the appellant that they have abused the informant and on protest, ransacked her house and assaulted her and her family members.

The accusation, it has been submitted, is absolutely false.

By way of supplementary affidavit, it has been brought to the notice of the Court that the appellants are the neighbours of the informant and there is a dispute between them with respect to drainage of water.

The learned counsel for the appellants has submitted that the case has been compounded between the parties. It has, therefore, stated that no offence under any one of the provisions of the I.P.C. or under



the S.C./S.T. (Prevention of Atrocities) Act can at all be said to have been made out.

For the facts afore-stated, the order dated 15.10.2020, referred to above, is set-aside.

The appellants, above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge-Cum-Special Judge, S.C./S.T. (POA) Act, Saran at Chapra in connection with Amnour P.S. Case No. 62 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The appeal stands allowed.

(Ashutosh Kumar, J)

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