

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.795 of 2021

Arising Out of PS. Case No.-190 Year-2020 Thana- DARAUNDA District- Siwan

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1. Binit Singh @ Vineet Singh, S/o- Harish Chandra Singh @ Haricharan Singh
 2. Arun Singh, S/o- Santosh Singh
 3. Nehal Singh, S/o- Late Kalicharan Singh
- All are Resident of Village- Pinarthu Kala, Pirarthu Kalan, P.S.- Daraundha,
District- Siwan.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Prabhakar Singh, Adv.
For the Respondent/s : Mr. Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-07-2021 Heard Mr. Prabhakar Singh, the learned Advocate

for the appellants and the learned Special Public Prosecutor

for the State.

The appellants have challenged the order dated

25.11.2020 passed by the learned 1st Addl. District and

Sessions Judge-Cum-Special Judge, Siwan in connection with



Daraundha P.S. Case No. 190 of 2020, instituted for the offences under Sections 323, 341, 324 and 504/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(i)(r) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby their prayer for grant of anticipatory bail has been rejected.

It has been alleged against the appellants that they have abused, assaulted and intimidated the informant and his associates.

The learned counsel for the appellants has submitted that there has been an unusual delay in lodging the F.I.R. The cause of implicating the appellants is also not far to seek. In the last Saraswati Puja, a dispute had erupted between the informant and the family of the appellants and against such dispute, the appellants had contacted the police and the local authorities. Vexed by this action of the appellants, the present case has been lodged for the purposes of teaching a lesson to the family members of the appellants.

Regard being had to the nature of accusation



which does not reflect any intention on the part of the appellants to demean the informant or his associates because of their decent, the order dated 25.11.2020, 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. District and Sessions Judge-Cum-Special Judge, Siwan in connection with Daraundha P.S. Case No. 190 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The appeal stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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