

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4670 of 2019

Arising Out of PS. Case No.-4 Year-2018 Thana- SC/ST BETTIAH District- West
Champaran

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PREM KUMAR MUKHIYA @ PREM KUMAR Son of Late Rama Mukhiya
Resident of Khap Tola Laxmipur, Police Station- Nautan, District- West
Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Arbind Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 21-10-2021 Heard learned counsel for the appellant and learned
A.P.P. for the State.

The appellant seeks pre-arrest bail in connection with
Chanpatiya SC/ST P.S. Case No. 04 of 2018 registered under
Sections 341, 323, 354, 379, 504, 506, 34 of the Indian Penal
Code and Section 3(i) (r) (w) (ii) (va) of the Scheduled Castes
and Scheduled Tribes (Prevention of Atrocities) Act.

Submission of learned counsel for the appellant is that
appellant is innocent and has falsely been implicated in the
present case. Further, he contended that on perusal of Annexure-
2, it appears that earlier, a case bearing Nautan P.S. Case No. 16
of 2018 was also lodged by the appellant on the same date of
occurrence. With a view to take revenge of that case, the present

case has been lodged against the appellant. It is also submitted that appellant has no criminal antecedent.

Having heard both sides and in the facts and circumstances of the case, let the above named appellant be released on bail, in the event of arrest or surrender, on furnishing personal bond to the satisfaction of the 1st Additional District Judge-cum-Special Judge, Bettiah, West Champaran in connection with Chanpatiya SC/ST P.S. Case No. 04 of 2018, subject to the conditions as laid down under section 438(2) of Cr. P.C.

Accordingly, the appeal is allowed and the impugned order dated 29.08.2019 is set aside.

(Arvind Srivastava, J)

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