

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3543 of 2021

Arising Out of PS. Case No.-270 Year-2021 Thana- SAHPUR District- Patna

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1. AMLA KUMARI W/O TUNTUN KUMAR R/o village- Hathiya Kandh, P.S.- Shahpur, District- Patna
 2. TUNTUN KUMAR S/O RAMPATI RAI @ RAMPATI RAY R/o village- Hathiya Kandh, P.S.- Shahpur, District- Patna

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Ghanshyam Tiwary, Advocate
For the Respondent/s	:	Mr.Binay Krishna, Spl.P.P.
		Mr.Mithilesh Kumar Arya, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 2 07-07-2022 Heard learned counsel for the appellants, learned counsel for the informant and learned Spl.P.P. for the State.

Learned counsel for the appellants undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, the office will place the matter before the Bench.

This is an appeal under section 14 A (2) of the SC/ST Act, against the refusal of prayer for anticipatory bail vide order dated 07.08.2021, passed by learned Additional District and Sessions Judge-III-cum- Special Judge, SC/ST Act, Patna, in



connection with Shahpur P.S. Case No.270 of 2021, registered under sections 406, 420, 385, 386, 323, 341, 504, 506, 120(B) of the IPC and sections 3(i) (r), 3(i) (s), 3(2) (Vs) SC/ST Act.

Allegedly, due to a dispute relating to purchase of land, the appellants abused the informant by taking his caste name, assaulted him and took Rs.30,000/- from his pocket.

It is submitted by learned counsel for the appellants that the appellants are innocent and have not committed any offence. No such occurrence as alleged has ever taken place. Appellants have been falsely implicated in the case with frivolous allegation. It is stated that there is an admitted land dispute between the parties and parties have compromised the case. Appellants have no criminal antecedent.

Learned counsel for the informant has fairly admitted this fact that there is a compromise between the parties.

Considering the facts and circumstances of the case, the appellants named above, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-III-cum- Special Judge,



SC/ST Act, Patna, in connection with Shahpur P.S. Case No.270
of 2021, subject to the condition as laid down under section 438
(2) of the Cr.P.C.

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

(Anjani Kumar Sharan, J)

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