

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2250 of 2021

Arising Out of PS. Case No.-49 Year-2020 Thana- SC/ST District- Sitamarhi

1. KRISHNDEO RAI @ KISHAN KUMAR Son of Chandeshwar Rai Resident of Village - Dudhala @ Ghughala Ward No. -14, P.S. - Choraut, District - Sitamarhi.
2. Amresh Rai @ Amresh Kumar Son of Ram Prasad Rai Resident of Village - Dudhala @ Ghughala Ward No. -14, P.S. - Choraut, District - Sitamarhi.
3. Daroga Rai Son of Bindeshwar Rai Resident of Village - Dudhala @ Ghughala Ward No. -14, P.S. - Choraut, District - Sitamarhi.
4. Chandeshwar Rai Son of Late Jiwa Rai @ Late Jina Rai Resident of Village - Dudhala @ Ghughala Ward No. -14, P.S. - Choraut, District - Sitamarhi.
5. Ram Prasad Rai Son of Late Jiwa Rai @ Late Jina Rai Resident of Village - Dudhala @ Ghughala Ward No. -14, P.S. - Choraut, District - Sitamarhi.
6. Bindeshwar Rai Son of Late Jiwa Rai @ Late Jina Rai Resident of Village - Dudhala @ Ghughala Ward No. -14, P.S. - Choraut, District - Sitamarhi.
7. Amar Rai Son of Ram Prasad Rai Resident of Village - Dudhala @ Ghughala Ward No. -14, P.S. - Choraut, District - Sitamarhi.
8. Sipahi Rai Son of Bindeshwar Rai Resident of Village - Dudhala @ Ghughala Ward No. -14, P.S. - Choraut, District - Sitamarhi.

... .. Appellant/s

Versus

1. The State of Bihar
2. Urmila Devi W/o Late Dukhran Ram R/O Viilage- Ghughala, Ward No.- 14, P.S.- Choraut, District- Sitamarhi

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Alok Kumar Alok, Adv.
For the Respondent/s	:	Mrs. Usha Kumari, Spl.P.P.
For the Informant	:	Mr. Uday Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 18-05-2023 Heard learned counsel for the appellants, learned

Special Public Prosecutor for the State and learned counsel for

the informant.

This appeal has been preferred against the order dated



23.02.2021 passed by learned 1st Additional Sessions Judge-cum-Special Judge SC/ST (P.O.A.) Act, Sitamarhi in A.B.P. No.112 of 2021 arising out of Sitamarhi SC/ST P.S. Case No. 49 of 2020 registered under Sections 341, 323, 325, 447, 354, 504, 506/34 of the Indian Penal Code and Sections 3(1) (r) (s), (w) (1)3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act by which the prayer for anticipatory bail of the appellants has been rejected.

Learned counsel for the appellants submits that appellants are innocent and have falsely been implicated in the present case due to dirty village politics. Further submission is that there is case and counter case between the parties. Both the parties have sustained injuries in the present case. It is also submitted that the appellants have got no criminal antecedent.

Considering the aforesaid facts, let the appellants, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge SC/ST (P.O.A.) Act, Sitamarhi in connection with Sitamarhi SC/ST P.S. Case No. 49



of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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

(Arvind Srivastava, J)

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