

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1538 of 2023**

Arising Out of PS. Case No.-980 Year-2022 Thana- SIKARPUR District- West Champaran

CHANDRABHUSHAN PANDEY, S/o- LATE ADYA PANDEY Village-  
Tarharwa Ps- Shikarpur Dist- West Champaran

... .. Appellant/s

Versus

1. The State of Bihar
2. lalan Sah son of Late Prabhu Sah Village- Tarharwa Ward no-2 Ps-  
Shikarpur Dist- West Champaran

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Milind Kumar Mishra  
For the Respondent/s : Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

3      02-08-2023                      1. Heard learned counsel for the appellant, the State and  
informant.

2. This appeal has been filed for setting aside order dated  
08.02.2023, passed in a case registered for the offence punishable  
under sections 341, 323, 406, 504, 506/34 of the IPC and sections  
3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes  
(Prevention of Atrocities) Act, 1989, whereby prayer for  
anticipatory bail of the appellants has been rejected.

3. As per the prosecution case, on alleged date and time  
of occurrence, it is alleged that this appellant along with other  
accused persons abused the informant by caste name when the  
informant sent to the house of the appellant for demanding money.  
It is further alleged that all the accused persons threatened the  
informant.



4. It is submitted on behalf of the appellant that appellant has been falsely implicated in this case because of land dispute between the parties. FIR does not reveal that at the time of incident any member of public was present and as such no offence under Section SC / ST is made out. Appellant has got no criminal antecedent.

5. Counsel for the State as well as informant both opposed the prayer for bail.

6. Considering the rival submission of parties, materials on record and clean antecedent, this appeal is allowed and the impugned order is set aside. Let the appellant, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge Ist-cum-Special Judge (SC& ST), Bettiah, West Champaran, in connection with Shikarpur P.S. Case No. 980 of 2022.

**(Prabhat Kumar Singh, J)**

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