

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3719 of 2021

Arising Out of PS. Case No.-312 Year-2021 Thana- DAUDNAGAR District- Aurangabad

1. BINDESHWARI SINGH SON OF LATE SHIVNANDAN SINGH R/O VILLAGE- KARMAHI, P.S.- DAUDNAGAR, DIST.- AURANGABAD (BIHAR)
2. NANDU SINGH SON OF RAMJANAM SINGH R/O VILLAGE- KARMAHI, P.S.- DAUDNAGAR, DIST.- AURANGABAD (BIHAR)
3. SAURABH KUMAR @ HIMANSHU KUMAR SON OF NANDU SINGH R/O VILLAGE- KARMAHI, P.S.- DAUDNAGAR, DIST.- AURANGABAD (BIHAR)

... .. Appellant/s

Versus

1. THE STATE OF BIHAR
2. Nilam Devi Wife of Upendra Ram Resident of village- Lala Amauna, P.S.- DaudNagar, Dist- Aurangabad.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ranjit Kumar
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

- 4 27-03-2023 Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and the learned counsel appearing on behalf of the opposite party no.2.

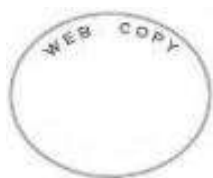
This appeal has been preferred against the order dated 11.08.2021 passed by learned 1st Additional District & Sessions Judge-cum-Special Judge (SC/ST), Aurangabad in connection with Daudnagar P.S. Case No.312 2021 registered



under Sections 147, 149, 323, 324, 504, 354, 354(B), 379 of the Indian Penal Code and Sections 3(i)(r)(s)(w)(i)3(ii)(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 the appellants are innocent and have falsely been implicated in the present case due to land dispute between the parties. There is general and omnibus allegation against the appellants. Further he submits that there is case and counter case between the parties, as contained in Annexure-2 to the bail application. It is also submitted that appellants have no criminal antecedent.

Having considered the above facts and circumstances of the case, prayer for grant of anticipatory bail is allowed. Let the above named appellants released on bail, 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 personal bonds to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Aurangabad in connection with Daudnagar P.S. Case No. 312 of 2021, 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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