

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2962 of 2022

Arising Out of PS. Case No.-370 Year-2021 Thana- SUGAULI District- East Champaran

CHANDRA KISHORE GIRI Son of Late Ambika Giri Resident of Village -
Karamwa, P.S.- Sugauli, District - East Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Chandra Moleshwar, Advocate
For the State	:	Mr. Binay Krishna, Special P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 19-04-2023 At the outset, learned Special P.P. for the State submits that he had informed the informant of this appeal to plead in the present appeal through his counsel or through him, but today nobody appears on behalf of the informant.

Heard learned counsel for the appellant and learned Special P.P. for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as ‘the SC/ST Act’) against the refusal of prayer of anticipatory bail vide order dated 15.06.2022, passed by learned Special Judge, SC/ST Act, East Champaran, Motihari in connection with Sugauli P.S. Case No.370 of 2021, registered under Sections 147, 149, 447, 341, 323, 384, 467, 468, 471, 504, 506 and 354(B) of the Indian



Penal Code and Section 3(i)(r)(s) of the SC/ST Act.

Allegedly, the appellant alongwith other accused persons abused, threatened and demanded extortion as well as got prepared forged document of the land in their favour.

Learned counsel for the appellant submits that the appellant is innocent and has falsely been implicated in the present case. The appellant has got no criminal antecedent as stated in paragraph-3 of the memo of appeal. It is further submitted that there is admitted land dispute between the parties. The allegation of abuse is not specific rather general and omnibus in nature. It is also submitted that similarly situated other co-accused persons have already been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 08.12.2022, passed in Criminal Appeal (SJ) No.2339 of 2022.

Learned Special P.P. for the State opposed the prayer for grant of anticipatory bail to the appellant.

Taking into consideration the facts aforesaid, let appellant, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of



the like amount each to the satisfaction of learned Additional Sessions Judge-I, S.C./S.T. Act, East Champaran at Motihari in connection with Sugauli P.S. Case No.370 of 2021, subject to the conditions 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)

S.KUMAR/-

U		T	
---	--	---	--

