

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1012 of 2021

Arising Out of PS. Case No.-229 Year-2020 Thana- EKMA District- Saran

Sanjay Giri Son Of Late Janardan Giri Resident Of Village And P.O. - Keshari
Mathiyan, P.S. - Ekma, District – Saran ... Appellant
Versus

1. The State Of Bihar
2. Sukawaria Devi Chandradeep Ram Resident Of Vill. And P.O.- Keshari
Mathiyan, P.S.- Ekma, Dist.- Saran
... .. Respondents

Appearance :

For the Appellant/s	:	Mr.Praveen Prabhakar
For the Respondent/s	:	Mr. Spl. Public Prosecutor
for respondent no.2		Mr. Kamlesh Kr.Pathak, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 15-03-2023 Heard learned counsel for the appellant, the State and respondent no.2.

The present appeal is directed against order dated 13.10.2020 passed by learned Additional Sessions Judge –I cum Special Judge, SC/ST Act, Saran at Chapra in a case registered for the offence punishable under Sections 341,323,504,506 of the Indian Penal Code and Section 3 (i) (r) (s)/ 3(2)(va) of the SC/ST Act as, whereby anticipatory bail of the appellant has been rejected.

Learned counsel for the appellant submits that the petitioner has been made accused in this case with false and concocted allegations. There is land dispute between the parties. It is further submitted that the provisions of the SC/ST Act is not attracted against the appellant because there is no intention of the appellant to insult the informant who is a member of the SC/ST category and the incident took place in a lonely place, which is not within the public view. Appellant claims clean antecedent.



Learned counsel for the state as well as respondent no.2 oppose the prayer for bail.

Having regard to the submissions made by the parties and the nature of dispute, this appeal is allowed and the impugned order dated 13.10.2020 is set aside.

Accordingly, in the event of arrest or surrender by the appellants, above named, before the court below within six weeks from today, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I cum Special Judge, SC/ST Act (POA), Saran at Chapra in Ekma Police Station Case No. 229 of 2020.

(Prabhat Kumar Singh, J)

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