

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4798 of 2021

Arising Out of PS. Case No.-195 Year-2021 Thana- GAUNAHA District- West Champaran

1. SHEIKH SHAKIR @ SHAKIR AHMAD Son of Late Samsul Sheikh Resident of Village- Murli Bharahwa, P.S.- Gaunaha, District- West Champaran.
2. Sarfaraj @ Sarfaraj Ahmad Son of Late Samsul Sheikh Resident of Village- Murli Bharahwa, P.S.- Gaunaha, District- West Champaran.

... .. Appellant/s

Versus

1. The State of Bihar
2. Shri Mati Devi Wife of Sri Dhruv Sharma Resident of village- Murli Bharahwa, P.S.-Gaunaha, District- West Champaran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Umesh Chandra Verma, Adv.
For the State	:	Mr. Sadanand Paswan, Spl.P.P.
For the Informant	:	Mr. Umesh Kumar Gupta, Adv.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

8 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 02.11.2021 passed by learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, West Champaran at Bettiah in A.B.P. No. 1986 of 2021 arising out of Gaunaha P.S. Case No. 195 of 2021 registered under Sections 341, 323, 354, 379, 504, 506/34 of the Indian Penal Code and Sections 3(1) (x) 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. Further submission is that there is case and counter case between the parties. 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 personal bonds each to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge SC/ST Act, West Champaran at Bettiah in connection with Gaunaha P.S. Case No. 195 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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