

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3687 of 2022

Arising Out of PS. Case No.-401 Year-2022 Thana- MANER District- Patna

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1. SUBODH RAY @ SUBODH KUMAR S/O LAL BABU RAY @ LAL BABU SINGH Resident of Village- Singhara, P.S.- Maner, District- Patna
 2. ANAND RAY @ ANAND KUMAR S/O LATE UMESH RAY Resident of Village- Singhara, P.S.- Maner, District- Patna
 3. MALTI DEVI W/O LATE UMESH RAY Resident of Village- Singhara, P.S.- Maner, District- Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Sheela Devi Wife of Mahesh Chaudhary Resident of village-Singhara,P.S-Maner,District-Patna

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Rajendra Narayan, Sr. Adv.
	:	Mr. Ganesh Prasad Singh, Adv.
For the Respondent/s	:	Mrs. Usha Kumari 1, APP
	:	Mr. Upendra Kumar Singh, Adv.
	:	Mr. Seema Ghazala, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 02-08-2023 Heard learned senior counsel for the appellants and learned Special Public Prosecutor for the State assisted by learned counsel for the respondent no.2.

2. This is an appeal under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act), against the refusal of prayer of anticipatory bail vide order dated 15.09.2022 passed by learned Exclusive Special Judge, SC/ST Act, Patna in connection with Maner P.S.



Case No. 401/2022, registered under Sections 341, 323, 379, 354, 504 and 506/34 of the Indian Penal Code and Section 3 (1) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. It is submitted by learned senior counsel for the appellants that the appellants have no concern with the aforesaid occurrence. There is admitted land dispute between the parties which is mentioned in Annexure-3 of the memo of the appeal. The injury found upon the victim is simple in nature. There is general and omnibus allegations levelled against the appellants. Appellants have got no criminal antecedent as mentioned in para-3 of memo of appeal but later on learned senior counsel for the appellants submits that appellant no.1 has got one more criminal antecedent.

4. Learned Spl. PP for the State along with learned counsel for the respondent no.2 opposes the prayer for bail and submits that the petitioner no.1 is a veteran criminal. Therefore, he is not entitled for grant of anticipatory bail.

5. In the facts and circumstances of the case and the fact that there is admitted land dispute between the parties, let the above named appellants, in the event of their arrest or surrender before the learned Court below within a period of six



weeks from today, be enlarged on bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST Act, Patna in connection with Maner P.S. Case No. 401/2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

6. Accordingly, the impugned order is set aside and this appeal is allowed.

(Anjani Kumar Sharan, J)

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