

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2724 of 2024

Arising Out of PS. Case No.-520 Year-2019 Thana- BIHTA District- Patna

-
1. Ravi Ranjan Kumar Singh @ Ravi Ranjan Singh S/O Shahjanand Singh @ Shahja Singh
 2. Suraveer Kumar Singh @ Munna Singh S/O Hirday Narayan Singh
 3. Deepak Kumar @ Deepka Kumar S/O Late Munna Singh
 4. Vivek Kumar Singh @ Vikash Singh S/O Arun Singh
 5. Amrendra Kumar Singh @ Amrendra Singh S/O Upendra Singh
 6. Rakesh Kumar Singh @ Rakesh Singh S/O Late Surendra Singh
- All Are R/O Village- Bindaul, P.S- Bihta, Distt.- Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. MANOHAR PASWAN S/O LATE BAKHORA PASWAN R/O VILLAGE-BINDAUL, P.S- BIHTA, DISTT.- PATNA.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar Singh, Advocate
For the Respondent/s : Mr.Binay Krishna, Special P.P.
Mr. Dineshwar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-08-2024 1. Heard learned counsel for the appellants, learned Special Public Prosecutor for the State and the learned counsel appearing on behalf of the respondent no.2.
2. The appellants have challenged the order dated 14.05.2024 passed by the learned Exclusive Special Court, SC/ST Act, Patna in connection with Bihta P.S. Case No.520 of



2019 instituted for the offences under Sections 341, 323, 504, 506 of the IPC and Section 3(i)(r) of the SC & ST Act, whereby their prayer for grant of anticipatory bail has been rejected.

3. The learned counsel for the appellants submit that appellants have antecedent of three cases, but the cases have instituted from the side of the informant though informants are different.

4. The learned counsel for the appellants next submit that the informant alleges that they got land from the government as they belong to 'Dalit' family, but then the appellants have encroached the land which was given to the informant and others by the government for constructing their house, and after encroaching the land the appellants were building a road for sand extraction in Sone river which was objected by the informant when they abused by taking caste name and also threatened.

5. The learned counsel for the appellants next submit that the land which were given to the informant and his side by the government was submerged in flood and formed part of Sone river, but the informant and his side forcefully were trying to encroach the land which was not given to them by the government on the pretext that they are owner of the land of



which the appellants and their ancestors are the owner.

6. It is also submitted that even the report of the Circle Officer indicates that the land which was given to the informant and his side got submerged in Sone river. It is also submitted that even the allegation do not inspire confidence as there is no specific allegation against the appellants that who amongst the appellants abused.

7. The learned counsel appearing on behalf of the respondents opposes the appeal, but then is not in a position to rebut the submissions of the learned counsel appearing on behalf of the appellants that the report of the Circle Officer also indicates that the land which was given to the informant got submerged in Sone river.

8. Regard being had to the aforesaid submissions, the order dated 14.05.2024 is set aside.

9. The appeal stands allowed.

10. The appellants above named, in the event of their arrest or surrender before the learned court below within a period of six weeks, is directed to be released on bail on their furnishing bail bonds in the sum of Rs.5000/-(Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court, SC/ST Act,



Patna in connection with Bihta P.S. Case No.520 of 2019,
subject to the conditions laid down under Section 438(2) of the
Cr.P.C.

(Satyavrat Verma, J)

Prakash Narayan

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

