

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4798 of 2019

Arising Out of PS. Case No.-454 Year-2019 Thana- GARKHA District- Saran

-
1. LAXMAN SAH Son of Govardhan Sah Resident of Village - MoshaiB Tola, P.S.- Garkha, Distt.- Saran at Chhapra.
 2. Ram Kishore Sah @ Ram Kishore Son of Jairam Sah Resident of Village - MoshaiB Tola, P.S.- Garkha, Distt.- Saran at Chhapra.
 3. Gita Devi W/o Laxman Sah Resident of Village - MoshaiB Tola, P.S.- Garkha, Distt.- Saran at Chhapra.

... .. Appellant/s

Versus

1. The State of Bihar
2. Ramchandra Manjhi(Mukhiya Patti) Gurucharan Manjhi Village-Reria,P.S-Garkha,District-Saran

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Basant Kumar Singh, Advocate
For the Respondent/s	:	Mr. Binay Krishna, Spl. PP
For respondent No. 2	:	Dewendra Narayan Singh, Advocate
		Ashutosh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 22-08-2024 Heard learned counsel for the parties.

2. This appeal has been filed for setting aside order dated 13.09.2019 passed in a case registered for the offence punishable under sections 290, 384, 431 , 504, 506, 385/34 and other allied sections of the Indian Penal Code and sections 3(i) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention



of Atrocities) Act, 1989, whereby the prayer for anticipatory bail of the appellant has been rejected.

3. It is alleged that dispute over construction of road led to scuffle between the parties. It is further alleged that all the accused persons including these appellants abused the informant by caste name .

4. It is submitted on behalf of these appellants that dispute arose between parties over construction of road. No one sustained any injury . It is not the case of the informant that any member of the public was present at the time of incidence , as such no case under SC/ST Act is made out.

5. Counsel for the respondent No. 2 as well as learned Spl. PP for the State opposed the prayer for bail.

6. Considering the aforesaid facts, this appeal is allowed and the impugned order is set aside. Let the appellants, named above, in the event of arrest/surrender within a period of eight weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge 1st – cum - Special Judge Saran at Chapra in connection with ABP No. 2433 of 2019 Garkha Police



Station Case No. 454 of 2019.

(Prabhat Kumar Singh, J)

Koushik/-

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

