

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4964 of 2024

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

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Lal Bahadur Singh @ Sanoj Kumar Son of Tribhuwan Singh Resident of
Village - Bindaul, Police Station - Bihta, District - Patna

... .. Appellant/s

Versus

1. The State of Bihar
2. Manohar Paswan Son of Late Bakhora Paswan Resident of Village -
Bindaul, Police Station - Bihta, District - Patna

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar Singh
For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 17-01-2025 Heard learned counsel for the appellant and learned
Special PP for the State.

The appellant has challenged the order dated 25.09.2024 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 read with Section 3(i)(r) of the SC & ST Act, whereby the prayer for grant of anticipatory bail has been rejected.

The learned counsel for the appellant submits that appellant has antecedent of two cases, but then the informants of the case are different. It is further submitted that the informant



alleges that they got land from the government as they belong to 'Dalit' family, but then the appellant has encroached the land which was given to the informant and others by the government for constructing their house and after encroaching the land the accused persons were building a road for sand extraction from Sone river which was objected by the informant when they abused by taking caste name and also threatened.

The learned counsel for the appellant submits that the lands 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 appellant and his ancestors are the owner. It is further 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 next submitted that even the allegations do not inspire confidence as there is no specific allegation against the accused persons that who amongst the accused abused. It is next submitted that Ravi Ranjan Kumar Singh along with five others had moved this Court seeking anticipatory bail by filing Criminal Appeal (SJ) No. 2724 of



2024 and the same was allowed by an order dated 08.08.2024 (Annexure-6).

The learned Special P.P. for the State opposes the prayer for anticipatory bail of the appellant.

Regard being had to the aforesaid submissions, the order dated 25.09.2024 is **set aside**.

The appeal stands allowed.

The appellant, above named, in the event of his arrest or surrender before the learned Trial Court within a period of six weeks, is directed to be released on bail on 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 Judge, 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)

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