

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1512 of 2017

Arising Out of PS.Case No. -19 Year- 2017 Thana -SC/ST District- GAYA

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1. Jyoti Kumar S/o Rajendra Prasad Sharma Resident of Flat No. 604, R.D. Palace, Near Pani Tanki More, Opposite A.N. College, Boring Road, P.O.- Patliputra , P.S. - Srikrishnapuri, Distt- Patna, Bihar, Pin- 800013.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Binod Kumar Singh

For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 31-07-2017 Heard the parties.

The appellants seek pre arrest bail in connection with S.C./S.T. P.S.Case No.19 of 2017 registered for offences punishable under Sections 341, 323, 504, 506, 448, 354, 379 and 34 of the Indian Penal Code and section 3(1)(r)(s)(w)(i) of SC/ST (Prevention of Atrocities) Act.

Allegation as per appellants is that on 3.2.2017, he went to the house of the informant while the informant was not there. Only his daughter was there and he abused the informant by taking caste name making allegation that he has got power of attorney executed. Further allegation is that on 27.2.2017 and 22.3.2017 he had gone there and again abused him by taking caste name and further allegation is that he has dragged the informant



and snatched the golden chain.

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case and as a matter of fact on all those dates, a Title Suite was on the list and witnesses were examined in the said T.S. and he has made prayed to the officials to examine the C.D.R. of his mobile to show that he was present in the court campus and the investigation is going on.

Heard learned Special P.P. also.

Having considered both sides and in view of submissions, let the appellant in the event of arrest or surrender before the court of Special Judge within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, S.C./S.T., Gaya in connection with SC/ST P.S.Case No.19 of 2017 dated 4.4.2017 (Sub Division Sadar, District- Gaya G.R.No.1974 of 2017) subject to conditions as laid down under Section 438 (2) of Cr.P.C., after setting aside the order dated 29.4.2017 passed by Special Judge-Incharge (SC/ST Act), Gaya in SC/ST P.S.Case No.19 of 2017 dated 4.4.2017, subject to further conditions that appellant will co-operate in investigation of the case and will appear before the



Investigating Officer as and when required, failing which his bail bond shall be liable to be cancelled.

With the above observation, this appeal is allowed.

(Vinod Kumar Sinha, J)

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