

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1378 of 2017

Arising Out of PS.Case No. -66 Year- 2016 Thana -AMBA District- AURANGABAD

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1. Vijay Singh, son of Yamuna Singh,
 2. Muna Singh, son of Yamuna Singh,
 3. Abhimanyu Singh, son of Late Ranjit Singh, All are resident of Village-Dumera, P.S.- Amba, District- Aurangabad (Bihar).

.... Appellants

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellants : Mr. Anirudh Kumar Verma, Advocate.

For the Respondent : Smt Usha Kumari No-1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-08-2017 Heard the parties.

The appellants seek bail in Amba P.S. Case No.66 of 2016 for the offence under Sections 147, 149, 341, 323, 307, 379, 504 of the I.P.C. and Section 3(1)(B), 3(1)(8), 3(2)(v)(b), 3(1)(8) of the SC & ST (Prevention of atrocities) Act.

Allegation as per the F.I.R. is of assaulting the informant and her family members by the appellant no.1 with Khanti causing her head injury and appellants no.2 and 3 with danda and sawar respectively.

Submission of the learned counsel for the appellants is



that there is case and counter case between the parties. There is general and omnibus allegation of assault against the appellants no.2 and 3. Though they are in custody for 4 ½ months.

Heard learned Special P.P. also who opposed the prayer for bail on the ground that the informant being a lady sustained grievous injury on her head by khanti blow given by appellant no.1.

Having heard both sides and in view of the facts and circumstances, as state above, let the appellants no. 2 and 3, above named, be released on bail on furnishing bail bonds of Rs.25,000/- each with two sureties of the like amount each to the satisfaction of Special Judge SC/ST-cum- Additional Sessions Judge-1, Aurangabad, in Amba P.S. Case No.66 of 2016, G.R. No.1441/16 subject to the conditions that one of the bailors must be a local person having sufficient immovable properties within the jurisdiction of the court and he will cooperate in the trial and appear before the court on each and every date fixed in the case, failing which his bail bond shall be cancelled.

So far appellant no.1, above named, is concerned, considering the nature of allegation against him, I am not inclined



to grant him bail at this stage. His prayer for bail is rejected. However, he will be at liberty to renew his prayer for bail after framing of charge in this case.

With the aforesaid observation, this appeal is disposed of.

AnilKrSinha/-

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(Vinod Kumar Sinha, J)

