

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1109 of 2017

Arising Out of PS.Case No. -3 Year- 2017 Thana -SC/ST District- SAMASTIPUR

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1. Jagdeep Prasad Singh S/o Late Ramchandra Singh
 2. Rajesh Kumar Rai @ rajesh Rai S/o Lal Babu Rai
 3. Sheonath Rai @ Laddu Lal S/o Binda Rai All Resident of Village-Hassanpur Surat Tanda Tokla, P.S.- Patory, District-Samastipur
 4. Ram Eshwar Singh S/o Late Sukhdeo Singh, Resident of Village-Sarari, P.S.-Patory, District-Samastipur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Arvind Kumar Sinha

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 28-06-2017 The appellants seek pre arrest bail in connection with Patory S.C.ST P.S.Case No.3 of 2017, registered for offences punishable under Sections 341, 323, 379, 354, 504, 506/34 of the Indian Penal Code and section 3(1i (R) (s) (WI), 3 (2) (VA) of SC/ST Act.

The allegation against the appellants is that the informant was working in the house of the appellants and wages of Rs.1,70,000/- was due, out of which only 20,000/- was paid as she made a complaint before the Grievance Redressal Officer, Patory (Sitamarhi). Further allegation is that the appellant no.1 surrounded her by taking her caste-name. So far other appellants



are concerned, it is stated that they tried to abduct her, however, as the other witnesses assembled there so they fled away.

It is submitted on behalf of the appellants that prior to this occurrence appellants had lodged a case against the informant and further she was apprehending about lodging of any case. They had also given an informatory petition and thereafter the present case has been lodged against the appellants.

It is further submitted that except appellant no.1 no one is brought under the provisions of S.C. & S.T. (Prevention of Atrocities) Act and so far other allegations are concerned that are superfluous in nature.

Heard learned Special P.P. also, who has opposed the prayer for privilege of bail

Having heard both sides, in view of the facts and circumstances as stated above, so far appellant no.1 (Jagdeep Prasad Singh) is concerned I am not inclined to grant privilege of pre-arrest bail, hence, this appeal is dismissed and he is directed to surrender before the Special court and make prayer for regular bail, which will be considered on its own merit.

So far other appellants nos.2 (Rajesh Kuamr Rai @ Rajesh Rai), appellant no.3 (Sheonath Rai @ Laddu Lal) and appellant No.4 (Ram Eshwar Singh) are concerned, in view of the



facts and circumstances of the case the impugned order with respect of appellant no.2 to 4 is set aside, as such in the event of surrender before the learned Special court within a period of four weeks, let the appellants, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of 1st Additional District and Sessions Judge, Samastipur in connection with Patory S.C./S.T. P.S.Case No.3 of 2017 subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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