

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.767 of 2017

Arising Out of PS.Case No. -119 Year- 2014 Thana -ISUAPUR District- SARAN

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1. Rinku Ojha, son of Ravindra Ojha

2. Ankit Ojha, son of Sunil Ojha

3. Pallu Ojha, son of Sunil Ojha

4. Nayan Ojha, son of Raju Ojha

All resident of village-Rampur Atouli, P.S.-Isuapur, District-Chapra.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rakesh Kumar Tiwary

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 22-06-2017 The appellants seek anticipatory bail in connection with Isuapur P.S. Case No.119 of 2014 registered for the offences punishable under Sections 147, 149, 341, 323 and 504 of the Indian Penal Code and Section 3(1) (x) of the SC/ST (Prevention of Atrocities) Act, 1989.

Allegation against the appellant no.2 is that he abused the informant by taking his caste name and also assaulted him. Further allegation is that thereafter the appellant no.2 and other appellants came there and they have also assaulted and further there is allegation that they have also abused him by taking his caste name.



It has been submitted on behalf of the appellants that the appellants have falsely been implicated in this case as earlier to that informant and his family members have teased the family members of the appellants. It has further been submitted that so far allegation against the appellants other than appellant no.2 is concerned, there is vague allegation that they have also abused the informant by taking his caste name and except that there is nothing against the appellants. It has also been submitted that the appellants were on police bail earlier.

From perusal of the FIR it appears that so far offence under Section 3(1)(x) of the SC & ST Act against the appellants other than appellant no.2 is concerned, the allegation is quite vague whereas the allegation against the appellant no.2 is direct of abusing the informant by taking his caste name.

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

Having heard both sides, in view of the facts and circumstances as stated above and the fact that the appellants were on police bail, as such, let appellants surrender before the learned special judge and make prayer for regular bail on the basis of the submissions made above and the learned special judge will pass appropriate order after hearing, if possible, on the same day



considering the fact that they were on police bail earlier.

With the above observation, this appeal is disposed
of.

(Vinod Kumar Sinha, J)

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