

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1645 of 2017

Arising Out of PS.Case No. -121 Year- 2014 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Jitendra Rai @ Jitendra Kumar Son of Rajan Rai, Resident of Village-
Baraka Pakari, Police Station- Lakhaura, District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dilip Kumar Tondon

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 05-09-2017 The appellant seeks pre arrest bail in connection with

Ghorasahan (Lakhaura) P.S. Case No. 121 of 2014, registered for
offences punishable under Sections 147, 148, 149, 341, 342, 323,
380, 427, 448, 457, 504 and 506 of the Indian Penal Code and
Section 3(i)(x) of SC/ST (POA) Act.

Allegation as per F.I.R that appellant along with several
other persons had ransack the house of *Mahasachiv* of C.P.I and
also demolished the house of one Ramji Paswan looted away
articles.

It has been submitted on behalf of the appellant that only
general and omnibus allegation has been made and no specific
allegation has been levelled against the appellant and further from
perusal of the F.I.R, there is no allegation of abusing any one, as



such, no case under the SC/ST (POA) Act is made out against the appellant.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case and also that no specific allegation has been levelled against the appellant, as such, this appeal is allowed and impugned order is set aside, let the appellant above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Sikharana, Dhaka, in connection with Ghorasahan (Lakhaura) P.S. Case No. 121 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant shall cooperate in the investigation and make himself available as and when required by the police and on the



event of failure on his part two appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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