

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.869 of 2017

Arising Out of PS.Case No. -19 Year- 2005 Thana -SC/ST District- PATNA

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1. Sunil Kumar Singh Son of Late Kapildeo Narayan Singh, Resident of Village-Nadwan, POlice Station-Barh, District-Patna.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjeev Ranjan

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 29-06-2017 The appellant seeks pre arrest bail in connection with Patna S.C. & S.T/Harijan P.S.Case No.19 of 2005, registered for offences punishable under Sections 419, 420, 465, 467, 468, 471, 474 & 120(B) Indian Penal Code and Section 3(1) (IX), 3 (2) (VIII) of SC/ST (Prevention of Atrocities) Act.

The appellant is not named in the F.I.R. It appears that F.I.R. has been lodged in the year, 2005 and later on name of the appellant appears during the course of investigation of the case.

It is submitted on behalf of the appellant that he is B.D.O. and allegation against him is that he has issued caste certificate on the basis of certificates issued to the different persons, who had taken admission in the Medical but that certificate had been issued on the basis of certificate granted by the Mukhiya, which is as per the prevalent circular at that time .

Heard learned Special P.P. also.



Having heard both sides and in view of the fact that this case is of the year, 2005 and as per the allegation, the caste certificate has been issued by the appellant but that caste certificate has been issued as per certificate granted by the Mukhiya.

Having heard both sides and in view of the facts and circumstances as stated above, let the appellant in the event of arrest or surrender in the court below 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 Additional Sessions Judge IInd, Patna in connection with Patna S.C. & ST/Harijan P.S.Case No.19 of 2005, subject to conditions as laid down under Section 438 (2) of Cr.P.C. after setting aside order dated 6.2.2017 passed by the Additional Sessions Judge IInd, Patna in A.B.P.No.7369 of 2016 arising out of Patna S.C. & S.T./Harijan P.S.Case No.19 of 2005, subject to further condition that one of the bailor should be local one and the appellant will co-operate in the investigation of the case.

With the above observation, this appeal is allowed.

(Vinod Kumar Sinha, J)

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