

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1334 of 2017

Arising Out of PS.Case No. -275 Year- 2014 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Guddu Prasad @ Jaydeep Prasad, S/o Late Saryug Prasad, resident of Village- Siswa Saraiya, Police Station- Bairia, District- West Champaran.
2. Pradeep Rai, S/o Ramnikant Rai, resident of Manjharia Colony, Police Station- Bairia, District- West Champaran.

.... Appellant/s

Versus

1. The State of Bihar.
2. Sunil Chandra Das, S/o Late Nimayee Chandra Das, resident of Manjharia Colony, P.S.- Bairia, District- West Champaran.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shiv Kumar Dwivedy
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-07-2017 The appellants seek pre arrest bail in connection with Bairia P.S.Case No.275 of 2014, registered for offences punishable under Sections 341, 323, 354(B), 379 & 504/34 of the Indian Penal Code and section 3(i)(x) of SC/ST (Prevention of Atrocities) Act.

Submissions of the learned counsel for the appellants is that so far appellant no.1 is concerned, there is absolutely no allegation either under the S.C./S.T. (Prevention of Atrocities) Act or any other allegation and so far appellant no.2 is concerned, he is 'Up Mukhia' of Gram Panchayat, as such he has been falsely implicated in this case.



Heard learned Special P.P. also, who could not controvert the fact that there is no allegation against appellant no.1.

Having heard both sides and in view of above facts and circumstances, let appellant no.1 (Guddu Prasad alias Jaydeep Prasad) in the event of arrest of surrender before the court of Special Judge 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 A.C.J.M.-IV, Bettiah, West Champaran in A.B.P.No.1102 of 2014, Bairia P.S.Case No.275 of 2014/Trial No.1416 of 2016, subject to conditions as laid down under Section 438(2) of Cr.P.C., after setting aside order dated 30.8.2016 passed by the Addl. District and Sessions Judge-I, Bettiah, West Champaran in A.B.P.No.1102 of 2014 in Bairia P.S.Case No.275 of 2014, subject to further condition that that he will co-operate in investigation of the case and will appear before the Investigating Officer as and when required, failing which his bail bond shall be liable to be cancelled.

So far appellant No.2 (Pradeep Rai) is concerned, this appeal is not maintainable, as such, let appellant no.2 surrender before the court of Special Judge and make prayer for regular bail,



which will be considered on its own merit without being prejudiced by the order of this Court.

With the above direction, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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