

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1778 of 2017

Arising Out of PS.Case No. -1 Year- 2017 Thana -BELAGANJ District- GAYA

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1. Krishna Murari @ Murari Prasad
 2. Karu Prasad @ Chandra Bhushan Kumar Both sons of late Rajnandan Mahto
 3. Dilu Kumar @ Dilu Prasad Son of Haridwar Prasad @ Pinku Prasad
 4. Kanti Devi W/o Late Rajnandan Mahto All are residents of Village - Koriyan Simra, P.S. - Belaganj, District - Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-07-2017 The appellants seek pre arrest bail in connection with Belaganj P.S. Case No. 01 of 2017, registered for offences punishable under Sections 341, 323, 504/34 of the Indian Penal Code and Section 3(1)(r)(s) of SC/ST (POA) Act.

Allegation against the appellants that they encroached the land of the informant and they abused him and also assaulted by means of fists and slaps.

It has been submitted on behalf of the appellants that they have falsely been implicated in this case and in fact the alleged land belonged to the appellants. Further no allegation has been made that appellants abused the informant by taking his caste



name in public and only with a view to grab the land of appellants, the informant has filed the present false case.

Heard learned Special P.P.

Having heard both sides, considering the facts and circumstances of the case, this appeal is allowed, impugned order is set aside, let the appellants above named, in the event of their arrest or surrender before 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 bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Gaya in connection with Connection with Belaganj P.S. Case No. 01 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the appellants shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellants shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part two appear



before the police on two consecutive dates
without showing any genuine reasons, the
prosecution will free to move for
cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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