

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1104 of 2017

Arising Out of PS.Case No. -2 Year- 2017 Thana -SARAI District- VAISHALI(HAJIPUR)

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1. Prema Devi Wife of Pradip Singh
2. Meghnath Singh Son of Pradip Singh Both residents of Village - Bajitpur,
P.S. - Sadar, District - Vaishali.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Santosh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 09-10-2017 The appellants apprehend their arrest in connection with ABP No. 345 of 2017 arising out of Sarai P.S. Case No. 02 of 2017 registered for offences punishable under Sections 147, 148, 149, 341, 324, 307, 452, 380, 436, 502 of the Indian Penal Code and Section 3(i) X) of SC & ST (Prevention of Atrocities) Act.

Allegation against the appellants as per the FIR is that after entering into the house of the informant, appellant no. 1 threw chilli powder on the informant and appellant no. 2 along with other accused persons assaulted his family members.

It has been submitted on behalf of the appellants that they are innocent and have been falsely implicated in this case. There was some dispute between the parties for which a case was registered against the informant and others in the year 2016. There is general and omnibus allegation against the appellants.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts stated above, let the appellant no. 1, Prema Devi, be released on bail on furnishing bail bond of Rs. 25,000 (Rs. Twenty Five Thousand)



with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IVth, Vaishali at Hajipur, in connection with ABP No. 345/17 arising out of Sarai P.S. Case No. 02 of 2017, subject to the following conditions:-

(iv) One of the bailors of the appellant no. 1 shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(v) The appellant no. 1 will not induce any witness or tamper with the evidence.

(vi) The appellant no. 1 shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

So far as, appellant no. 2 Meghnath Singh is concerned, I am not inclined to grant him pre-arrest bail. Let appellant no. 2 surrender before the special court and make prayer for regular bail. and if any such application is filed, the special court after considering the submission of learned counsel for the appellant no. 2 that no specific overt act has been attributed to him, shall pass an appropriate order, preferably on the same day, without being prejudiced by the order of this Court.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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