

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2475 of 2017

Arising Out of P.S.Case No. -23 Year- 2017 Thana -ROSERA District- SAMASTIPUR

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Monu Thakur @ Monu Kumar Thakur, Son of Diplu Thakur, Resident of
Village- Gudri Chouk, P.S.- Rosera, District- Samastipur (Bihar).

.... Appellant

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Vinay Kumar Mishra

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 17-11-2017 Heard learned counsel for the appellant.

This appeal has been filed for grant of pre-arrest bail in connection with Rosera P.S.Case No. 23 of 2017 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 504, 506, 447 of the Indian Penal Code and 3(i)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the order dated 21.6.2017 passed by Additional Sessions Judge-I, Samastipur.

Allegation against the appellant and other accused persons is of abusing the informant by taking caste name and threatening him on the point of pistol and further allegation against the appellant is of misbehaving with the lady members of informant and appellant is named in the FIR.

Submission of learned counsel for the appellant is that there is general and vague allegation against the appellant and other named accused persons as well as 40 to 50 unknown persons



and no specific allegation is attributed against the appellant and there is dispute between the parties with respect to collection of money for Swarwati Puja.

Heard learned Special P.P., who has opposed the prayer for pre-arrest bail.

Having heard both sides and in view of allegation against three named accused persons and 40-50 unknown persons, this appeal is allowed and the impugned order is set aside.

Let appellant surrender in the court of Special Judge within a period of six weeks and on his so surrendering he shall be released 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-I, Samastipur, in connection with Rosera P.S.Case No. 23 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C. and further subject to the conditions is that (1) one of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of court concerned and (2) appellant will co-operate in investigation in the case.

(Vinod Kumar Sinha, J)

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