

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2132 of 2017

Arising Out of PS.Case No. -46 Year- 2017 Thana -BELDAUR District- KHAGARIA

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Lalit Kumar S/o Maheshwar Mistri, R/o Village- Beldaur, P.S.- Beldaur,
District- Khagaria.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Binod Kumar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl. PP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-07-2017 The appellant seeks pre-arrest bail in connection with Beldaur P.S. Case No. 46 of 2017 registered for the offences punishable under Sections 341, 323, 420, 504, 506/34 of the Indian Penal Code and 3(1)(R)(S) SC/ST Act.

Allegation against the appellant as per FIR is that appellant and co-accused had taken money for getting son of the informant engaged in a bank and thereafter they were not returned when the informant demanded the same. It has been further alleged that appellant and co-accused abused him by taking his caste name and also assaulted him.

Learned counsel for the appellant submitted that he has falsely been implicated in this case and no offence under Section SC/ST Act is to be made out against the appellant.



Heard learned Special P.P. also.

Having heard both sides and considering the aforementioned facts and circumstances, this appeal is allowed, let, appellant named above surrender before the court below within four weeks and on so surrendering he be released on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-1st, cum Special Judge, Khagaria, in connection with Beldaur P.S. Case No. 46 of 2017, subject to condition as laid down under Section 438(2) of the Cr.P.C. with further conditions:-

(i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(iii) The appellant shall cooperate in investigation and make himself available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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