

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2929 of 2017

Arising Out of PS.Case No. -20 Year- 2017 Thana -SC/ST District- VAISHALI(HAJIPUR)

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1. Shambhu Singh, S/o Ram Naresh Singh,
2. Kiran Devi, W/o Shambhu Singh, Resident of Village- Sohathi P.S.
Jandaha, Distt.- Vaishali.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pramod Kumar Pandey

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-10-2017 The appellants seek pre arrest in connection with Hajipur SC/ST P.S. Case No. 20 of 2017, registered for offences punishable under Sections 341, 323, 504, 409, 420 and 34 of the Indian Penal Code and Section 3(i)(v), 3(i)(s) of SC/ST Act.

Allegation against the appellants as per F.I.R. is that they have taken consideration money of Rs. 3,50,000/- and also given possession of the land but they are not ready to execute the sale-deed and even they are not returning the money and when the informant went to ask for his money, he was abused.

It has been submitted on behalf of the appellants that only general and omnibus allegations have been levelled against the appellants of abusing the informant and that too inside the house and not in public view. Further other accused persons have already



been granted the privilege of pre arrest bail by this Court vide order dated 12.09.2017, passed in Cr. Appeal (SJ) NO. 2652 of 2017.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation, this appeal is allowed and 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 six 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) each with two sureties of the like amount each to the satisfaction of learned 1st Additional District Judge cum Special Court SC/ST, Act, Hajipur, in connection with Hajipur SC/ST P.S. Case No. 20 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 himself available as



and when required by the police and on the event of failure on his part two appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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