

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2896 of 2017

Arising Out of PS.Case No. -164 Year- 2017 Thana -RIGA District- SITAMARHI

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1. Pir Mohammad Mian @ Pir Mahamad, S/o Late Aziz Mian,
2. Sunar Khatoon W/o Late Aziz Mian,
3. Salima Khatoon W/o Pir Mohammad Mian @ Pir Mahamad,
4. Md. Meraj S/o Pir Mohammad Mian @ Pir Mahamad,
5. Hafiz Ansari @ Md. Hafiz S/o Late Yasin Ansari,
6. Salauddin Ansari @ Md. Salauddin S/o Late Yasin Ansari, R/o Village-
Majhaura Ward No.5, P.S.- Riga, District- Sitamarhi.

.... 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. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-11-2017 Heard the parties.

The appellants seek pre arrest bail in Riga P.S. Case No.164 of 2017 registered for the offence under Sections 341, 323 504, 506 of the I.P.C. and Section 3(i) (x) of SC/ST Act.

Allegation against the appellants including eleven accused persons is of abusing the informant by his caste name and also assaulting him and her sister –in-law causing injury to them.

Submission of the learned counsel for the appellants is



that earlier to the present case appellant no.1 lodged Riga P.S.Case No.162/17 against the informant and her family members and so just to save their skin the present case has been filed by the informant making general and omnibus allegation against the appellants.

Heard learned A.P.P. also.

Having heard both sides and in view of the general and omnibus allegation, as stated above, the appeal is allowed. Let the appellants, above named, in the event of their arrest or surrender before the court below within six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- each with two sureties of the like amount each to the satisfaction of 1st Addl.District and Sessions Judge –cum-Special Judge, Sitamarhi, in Riga P.S.Case No.164 of 2017 subject to the conditions that (1) one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court. (2) The appellants will not induce any witness or tamper with the evidence. (3) The appellants shall co-operate in disposal of trial and make themselves available as and when required by the court. In the event of failure on their part to appear



before the court below on two consecutive dates without showing any genuine reason, their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

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