

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3021 of 2017

Arising Out of PS.Case No. -169 Year- 2017 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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1. Jamadar Sahani, S/o Jangli Sahani,
2. Suresh Sahani, S/o Jangli Sahani,
3. Rahul Pandit, S/o Bhola Pandit, All R/o Village- Pramanandpur,
Dharhara, P.S.- Vaishali, District- Vaishali.

.... Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Vasant Vikas

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-11-2017 Heard learned counsel for the appellants.

This appeal has been filed for grant of pre-arrest bail in connection with Vaishali P.S.Case No. 169 of 2017 registered for the offences punishable under Sections 341, 323, 324, 504, 379/34 of the Indian Penal Code and 3(1)(r), 3(1)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 4.9.2017 passed by Additional District & Sessions Judge-I-cum-Special Judge, Vaishali.

Allegation against the appellants and other accused persons is of abusing the informant by taking his caste name and assaulting him also.



Submission of learned counsel for the appellants that all the sections are bailable except Section 3 of SC/ST Act and no case is made out against them under the SC/ST Act as no caste name has been mentioned in the case and there is general allegation of assault against all the accused persons.

Heard learned Special P.P.

Having heard both sides and considering the facts and circumstances of the case, the appeal is allowed and the impugned order is set aside.

Let appellants, above named, surrender within a period of six weeks and on their so surrendering they shall be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional District & Sessions Judge-I-cum-Special Judge, Vaishali, in connection with Vaishali P.S. Case No. 169 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C. and further conditions as follows :

- (1) One of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of court concerned,
- (2) Appellants will co-operate in investigation of the case and appear before the



Investigating Officer as and when required,
failing which their bail bonds shall be
cancelled.

(Vinod Kumar Sinha, J)

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