

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3101 of 2017

Arising Out of PS.Case No. -354 Year- 2017 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Jitendra Singh, S/o Jagdish Singh,
2. Pappu Singh S/o Jagdish Singh,
3. Juhi Kumari @ Cuddi Kumari D/o Pappu Singh,
4. Chhoti Kumari D/o Pappu Singh,
5. Sita Devi W/o Jagdish Singh, All R/o Village- Santur, P.S.- Ghorasahan
(Jharokhar), District- East Champaran.

.... Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Ajay Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-11-2017 Heard learned counsel for the appellants.

This appeal has been filed for grant of pre-arrest bail in connection with Ghorasahan (Jharokhar) P.S.Case No. 354 of 2017 registered for the offences punishable under Sections 341, 323, 325, 354, 380, 504, 506 of the Indian Penal Code and 3(1)(r) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 4.9.2017 passed by Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, East Champaran.

Allegation against the appellants is of assaulting the informant and his family members and also abusing him by taking



his caste name.

Submission of learned counsel for the appellants is that so far allegation of abuse is concerned, FIR itself shows that appellants abused him not in public place but inside the house and allegation of assault is concerned, the same is general and omnibus and earlier a case has been lodged by the appellants side against the informant.

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 four 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 Sessions Judge-I-cum-Special Judge, SC/ST Act, East Champaran, Motihari, in connection with Ghorasahan (Jharokhar) P.S.Case No. 354 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 immoveable 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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