

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1890 of 2017

Arising Out of PS.Case No. -13 Year- 2017 Thana -SC/ST District- SEKHPURA

=====

Sheo Shankar Prasad, son of Late Nav Ratan Prasad, resident of Mohalla -
Katra Chowk, Golapath, P.S. Sheikhpura, District - Sheikhpura.

.... Appellant

Versus

The State of Bihar.

.... Respondent

=====

Appearance :

For the Appellant/s : Mr. Ajay Kumar Thakur with Mr. Braj
Nandan Singh, Advocates

For the Respondent/s : Smt Usha Kumari No-1, Special P.P.

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-08-2017 Heard learned counsel for the appellant and learned
Special P.P. for the State.

This appeal has been preferred for setting aside the order dated 5.6.2017 passed by 1st Additional District & Sessions Judge, Sheikhpura in ABP No. 02 of 2017, arising out of Sheikhpura SC/ST P.S. Case No. 13 of 2017 registered for the offences punishable under Sections 341, 323, 379, 504, 506 of the Indian Penal Code and Section 3(2)(Va), 3(r)(s) of SC/ST (Prevention of Atrocities) Act and for grant of pre-arrest bail to the appellant.

Allegation against the appellant is that he came at the shop of the informant, abused her and assaulted her.

Submission of learned counsel for the appellant is that as a matter of fact there was dispute between the parties as appellant was also running a shop and further submission is that FIR shows that allegation of abusing her by taking her caste name is general and omnibus and nothing specific.



Learned Special P.P. has opposed the prayer for pre-arrest bail.

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

Let appellant, above named, surrender within four weeks before the Special Court and on his so surrendering the Special Court will release him on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of 1st Additional District & Sessions Judge, Sheikhpura, in connection with Sheikhpura SC/ST P.S. Case No. 13 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure and further condition is that one of the bailors should be local person having sufficient immoveable properties within the jurisdiction of court concerned and he will cooperate in investigation of the case and make himself available before the Investigating Officer as and when required and he will not tamper with the evidence, failing which his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

