

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2322 of 2017

Arising Out of PS.Case No. -9 Year- 2017 Thana -GAUNAHA District-
WESTCHAMPARAN(BETTIAH)

=====

1. Rampati Devi, wife of Arjun Ram,
2. Arjun Ram, son of Amichan Ram
3. Dhamu Ram, son of Arjun Ram
4. Ramu Ram, son of Arjun Ram All are Resident of Village- Srirampur,
P.S.- Gaunaha, District- West Champaran.

.... Appellants

Versus

The State of Bihar

.... Respondent

=====

Appearance :

For the Appellant/s : Mr. Arbind Kumar Singh
For the Respondent/s : Mr. Sadanand Paswan

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-09-2017 Heard learned counsel for the appellants and learned
Special P.P. for the State.

This appeal has been filed for grant of pre-arrest bail in connection with Gaunaha P.S. Case No. 09 of 2017 registered for the offences punishable under Sections 341, 323, 353, 504, 506 of the Indian Penal Code and 3(i)(x) of the SC/ST Act and for setting aside the order dated 5.6.2017 passed by Additional District and Sessions Judge-I-cum-Special Judge, West Champaran, Bettiah.

Allegation against the appellants is of abusing and assaulting by fists and slaps to the Block Development Officer along with several other accused persons.



Submission of learned counsel for the appellants is that they belong to Scheduled Caste community and, as such, provision of SC/ST Act will not apply to them and so far other allegation is concerned, the same is bailable offence.

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

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

Let appellants, above named, surrender in the court of Special Judge 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 Additional District and Sessions Judge-I-cum-Special Judge, West Champaran, Bettiah, in connection with Gaunaha P.S. Case No. 09 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that :-

- (1) One of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of the court



concerned,

(2) Appellants will co-operate in investigation of the case, failing which their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

