

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2439 of 2017

Arising Out of PS.Case No. -55 Year- 2017 Thana -RAJAPAKAR District- VAISHALI(HAJIPUR)

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1. Dharmendra Singh, Son of Aamichand Singh,
2. Sunaina Devi W/o Dharmendra Singh,
3. Pankaj Kumar Singh Son of Dharmendra Singh, All R/o Village- Bakhri,
P.S.- Raj Pakar, District- Vaishali.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anita Kumari Singh

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 13-10-2017

Heard the parties.

The appellants seek anticipatory bail in a case registered for the offences punishable under Sections 386,387, 420, 379, 406 of the Indian Penal Code read with Section 34 of the said Code and Section 3 (i)(v)(x) of SC/ST Act.

Allegation against the appellants is that when the informant demanded wages, the appellants refused to pay his wages and abused him by caste name.

Submission of the learned counsel for the appellants is that there is general and omnibus allegation



against the appellants. So far allegation against appellants that they abused the informant i.e. inside of the house and not in public view.

Heard learned Special P.P. also.

Having heard both sides in view of the above facts and circumstances, this appeal is allowed and impugned order dated 15.06.2017 passed in A.B.P.No. 37 of 2017 by Additional Sessions Judge, 1st cum Special Judge, Vaishali at Hajipur is set aside.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the appellants is allowed. In the event of surrender/arrest of the above named appellants, within six weeks from today, be released on bail on furnishing bail bonds of Rs.. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions judge 1st cum Special Judge, Vaishali at Hajipur in connection with Raja Pakar P.S. Case No. 55 of 2017, subject to the following conditions:



(i) One of the bailors of the appellant shall be local person having sufficient immovable property within the jurisdiction of the concerned Court.

(ii) The appellants shall co-operate in the investigation and make themselves available as and when required by the police/court concerned and on the event of failure on their part to appear before the police/court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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