

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.757 of 2016

Arising Out of PS.Case No. -53 Year- 2014 Thana -SC/ST P.S. District- SARAN

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1. Birendra Singh Son of Shri Uchit Singh
2. Vikrama Singh Son of Late Bachcha Singh
3. Sudama Singh @ Sudama Prasad Singh Son of Late Bachcha Singh
4. Narendra Singh @ Narendra Kumar Singh Son of Shri Vikrama Singh
5. Pawan Singh Son of Shri Sudama Singh
6. Nawal Singh Son of Late Madhu Mangal Singh
7. Vijay Singh Son of Late Madhu Mangal Singh
8. Naveen Kumar Singh @ Naveen Singh Son of Late Dhar Mangal Singh
All are residents of village - Senduar Gularbaga, Police Station Janta Bazar,
District - Saran

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Kumar Mishra

For the Respondent/s : Mr. Sri Bipin Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 25-07-2017 The appellants seek pre-arrest bail in connection with Janta Bazar Saran SC/ST P.S. Case No. 53 of 2014 registered for offences punishable under Sections 147, 323, 341, 447, 427 of the Indian Penal Code and Sections 3(i)(x) of the SC/ST (POA) Act.

Allegation against the appellants is that all the appellants came at the door of the informant and started abusing him by taking his caste name. On protest after entering in his house they assaulted by fists and slaps and damaged his hut.

Learned counsel for the appellants submitted that the place of occurrence is not a public place, the occurrence has been taken at the door of the informant, as such no offence under



section 3(i)(x) of the SC/ST (POA) Act is made out.

Heard learned A.P.P. also.

Having heard both sides and considering the aforementioned facts and circumstances, this appeal is allowed, and it is ordered that the appellants named above in the event of his arrest or surrender in the court below, be released on furnishing bail bonds of Rs. 25,000/- each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st class, Chapra, in connection with Janta Bazar Saran SC/ST P.S. Case No. 53 of 2014, subject to condition as laid down under Section 438(2) of the Cr.P.C. with further conditions:-

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

(iii) The appellants shall cooperate in investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police 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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