

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1284 of 2017

Arising Out of PS.Case No. -192 Year- 2016 Thana -KAKO District- JEHANABAD

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1. Sunil Paswan, Son of Sidheshwar Paswan.
2. Sanjay Paswan, Son of Brahamdev Paswan.
3. Aakash Kumar, son of Parshuram Paswan.
4. Mukesh Paswan @ Jhopari Paswan, Son of Baleshwar Paswan, All are
Resident of Village- Narayanpur, P.S. Kako, District- Jehanabad.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Paras Nath

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 12-09-2017 The appellants seek pre arrest bail in connection with

Kako P.S. Case No. 192 of 2016, registered for offences

punishable under Sections 147, 148, 427, 384, 386, 188 and 120B

of the Indian Penal Code and Section 3(i)(z) of SC/ST (POA) Act.

Allegation against the appellants is that they demolished

the construction of the informant and abused him by caste name.

It has been submitted on behalf of the appellants that no

allegation under the SC/ST (POA) Act is made out against the

appellants as the appellants also belong to same community and so

far other allegations are concerned, they are only general and

omnibus in nature.

Heard learned Special P.P. also.

Having heard both sides, in view of the above facts, this

appeal is allowed and impugned order is set aside, let the



appellants above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Jehanabad, in connection with Kako P.S. Case No. 192 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the appellants shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellants shall cooperate in the 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 is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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