

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2638 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Meena Devi, wife of Shivji Sah
 2. Sunil Sah, son of Ramakant Sah, both residents of village Bela Baiju,
P.S. Patahi, District East Champaran, Motihari

.... Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Devendra Kumar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-09-2017 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 Patahi P.S.Case No. 38 of 2017 registered for the offences punishable under Sections 147, 148, 149, 323, 307, 379, 504, 506 of the Indian Penal Code and 3(1)(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the order dated 21.7.2017 passed by Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, East Champaran, Motihari.

Submission of learned counsel for the appellants is that they have falsely been implicated in this case as nothing is specific against the appellants. Further submission is that there is case and counter case between the parties.

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 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 the Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, East Champaran, Motihari, in connection with Patahi P.S. Case No. 38 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C. and further subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) Appellants will co-operate in investigation of the case and will appear before the Investigating Officer as and when required, failing which their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

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