

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2267 of 2017

Arising Out of PS.Case No. -50 Year- 2017 Thana -BIBHUTIPUR District- SAMASTIPUR

=====

1. Santosh Kumar Rajak, Son of Dilip Rajak,
2. Himanshu Kumar Das Son of Yogendra Das,
3. Ajay Kumar Rajak Son of Dinesh Rajak, All R/o Village- Narhan, P.S.-
Bibhutipur, District- Samastipur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Mritunjay Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-08-2017 Heard the parties.

The appellants seek pre arrest bail in connection with Bibhutipur P.S.Case No.50 of 2017, registered for offences punishable under Sections 444B, 452, 307, 376, 511, 506/34 of the Indian Penal Code and section 3(i)(a)&(w) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellants, as per FIR, is that one of the co-accused tried to make physical relation with the informant and the appellants have assisted him and they also entered inside the her house.

Submission of the learned counsel for the appellants is that allegation against the appellants is that all the appellants belong to S.C/S.T. community as such so far S.C. & S.T (Prevention of Atrocities Act) is concerned that is not applicable



in this case and so far other allegations are concerned, only allegation is that they have assisted but no other allegation is there.

Heard learned Special P.P. also.

Having considered both sides and in view of submissions, let the appellants in the event of arrest or surrender before the court of Special Judge within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge 1st, Samastipur in connection with Bibhutipur P.S. Case No.50 of 2017, subject to conditions as laid down under Section 438 (2) of Cr.P.C., after setting aside the order dated 20.6.2017 passed by Additional Sessions Judge 1st, Samastipur in A.B.P. No.1124 of 2017, subject to further conditions that appellants will co-operate in investigation of the case and will appear before the Investigating Officer as and when required, failing which their bail bond shall be liable to be cancelled.

With the above observation, this appeal is allowed.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

