

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1030 of 2017

Arising Out of PS.Case No. -2988 Year- 2014 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Satendra Prasad Singh Son of Kaushal Kishore Singh
2. Om Prakash Singh Son of Kaushal Kishore Singh
3. Kaushal Kishore Singh Son of Late Ramfal Singh
4. Arun Singh Son of Baijanth Singh null
5. Anil Singh Son of Baijanth Singh
6. Baijnath Singh Son of Late Sadashi Singh, All are Resident of Chandi
Kathua, Bengali Tola, P.S. Muffasil, District Purnea.

.... Appellant/s

Versus

1. The State of Bihar.
2. Jiriya Devi Wife of Badri Rishi Residence of Chandi Kathua, Bengali
Tola, P.S. Muffasil, District Purnea.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajit Kumar Singh
For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 23-06-2017 The appellants seek pre arrest bail in connection with

Complaint Case No. 2988 of 2014, registered for offences
punishable under Sections 147, 148, 149, 323, 324, 384, 354(B),
452, 380/34 of Indian Penal Code and Section 3/4 of the SC/ST
(POA) Act.

Allegation against the appellants as per F.I.R. is that they
threatened the informant and also asked the vacate the land.

It has been submitted on behalf of the appellants that
statement of the informant on solemn affirmation clearly shows
that she has lodged this false case against the appellants so that she



might not have to vacate the land in question. Further it has been submitted that in the enquiry report it has come that the land does not belong to the informant rather it belonged to appellants, as such, no case under the above mentioned Sections of Indian Penal Code as well as SC/ST Act is made out against the appellants.

Heard learned Special P.P. also.

Having heard both sides considering the fact that informant herself has stated on solemn affirmation that she has filed the case against the appellant so that she might not have to vacate the land in question and further enquiry report also shows that the land belonged to appellants, as such, this appeal is allowed, 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, Purnea, in connection with Complaint Case No. 2988 of 2014, 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 will be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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