

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1327 of 2017

Arising Out of PS.Case No. -44 Year- 2016 Thana -KASMA District- AURANGABAD

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1. Kunti Devi, Wife of Shyam Sundar Singh.
2. Shyam Sundar Singh, Son of Late Kedar Singh. Both Resident of Village
Kaira Manorath, P.S. Kasma District- Aurangabad.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Kamendra Pd. Singh

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 11-07-2017 The appellants seek pre arrest bail in connection with

Kasma P.S.Case No.44 of 2016, registered for offences punishable

under Sections 366(A) of the Indian Penal Code and Section

3(i)(r)(s)(w) of SC/ST (Prevention of Atrocities) Act.

Allegation as per F.I.R. against the appellants is that they

have abused the informant by taking caste name and further

allegation is that they have threatened him of lodging a case.

Submission of the learned counsel for the appellant is

that even according to the F.I.R., it will appear that they had gone

to the house of the accused persons and there occurrence of

abusing by taking caste name has occurred. Further submission is

that the appellant no.2 is a lady.

Heard learned Special P.P. also.



Having considered both sides and in view of the allegation so far appellant no.2 (Shyam Sundar Singh) is concerned, I am not inclined to grant privilege of pre-arrest bail, as such this appeal is dismissed with observation to surrender within a period of four weeks and make prayer for regular bail, which will be considered on its own merit without being prejudiced by the order of this Court, if possible on the same day.

So far appellant no.1 (Kunti Devi) is concerned, she being a lady, 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) with two sureties of the like amount each to the satisfaction of learned Special Judge S.C./S.T. Act, Aurangabad in connection with Kasma P.S.Case No.44 of 2016 in A.B.P.No.1330 of 2016 dated 18.01.2017 subject to conditions as laid down under Section 438 (2) of Cr.P.C. after setting aside the order dated 18.1.2017 passed by Special Judge S.C./S.T. Act, Aurangabad in Kasma P.S.Case No.44 of 2016 in A.B.P.No.1330 of 2016 dated 18.1.2017, subject to further conditions that appellant will co-operate in investigation of the case and will appear before the Investigating Officer as and when required, failing which his bail



bond shall be liable to be cancelled.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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