

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2570 of 2017

Arising Out of PS.Case No. -35 Year- 2017 Thana -SIMRI District- BUXAR

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1. Mantu Turha, Son of Baban Turha,
2. Golu Pathak,
3. Chanchai Pathak Both Sons of Dilip Pathak, All R/o Village- Niyazipur,
P.S.- Simri (T.R.H. O.P.), District- Buxar.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bachan Jee Ojha

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-10-2017 Heard the parties.

The appellants seek pre arrest bail in connection with Simri P.S.Case No.35 of 2017 registered for offences punishable under Sections 341, 323, 354 & 506/34 of the Indian Penal Code and section 3(i)®(s), 3(2)(va) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellants is of abusing and assaulting the informant and his wife and the FIR itself shows that the occurrence has taken place between the son of the Appellants and the informant during the time of playing football.

Submissions of the learned counsel for the appellants is that all the allegations are general and no specific allegation of



abuses as been stated in the FIR, took place due to playing football.

Heard learned Special P.P. also.

Having considered both sides and in view of the submission, 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 the learned A.D.J.-I-cum-Special Judge, Buxar in connection with Simri P.S.Case No.35 of 2017 subject to conditions as laid down under Section 438 (2) of Cr.P.C. after setting aside the order dated 17.6.2017 passed by the learned A.D.J.-I-cum-Special Judge, Buxar in A.B.P. No.393 of 2017/13 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)

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