

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.2873 of 2017**

Arising Out of PS.Case No. -30 Year- 2017 Thana -UPHARA District- AURANGABAD

=====

1. Shatrudhan Sao Son of Dasharath Sao
2. Bharat Sao Son of Shatrudhan Sao
3. Anuj Sao Son of Bhagalu Sao
4. Ajeet Sao Son of Raghubir Sao
5. Jaikaran Sao Son of Ramadhar Sao All Resident of Village-Mahaddipur,  
P.S.-Uphara, District-Aurangabad.

.... .... Appellants

Versus

The State of Bihar

.... .... Respondent

=====

**Appearance :**

For the Appellant/s : Mr. Anil Kumar

For the Respondent/s : Mr. Sadanand Paswan

=====

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

3      17-11-2017                      Heard learned counsel for the appellants.

This appeal has been filed for grant of pre-arrest bail in connection with Uphara P.S.Case No. 30 of 2017 registered for the offences punishable under Sections 341, 323, 307, 354, 379, 504, 506/34 of the Indian Penal Code and 3(i)(r), 3(i)(s), 3(i)(w)(i) and 3(2)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the order dated 1.9.2017 passed by Special Judge, SC/ST Act, Aurangabad.

Allegation against the appellants Nos. 1 and 2 is of abusing the informant by taking caste name and allegation against appellants Nos. 4 and 5 is of assaulting the informant causing



serious injury to him and further allegation against appellants Nos. 1 and 2 is of assaulting wife and mother of the informant.

Submission of learned counsel for the appellants is that there is case and counter case between the parties and they have falsely been implicated in this case and no such occurrence has taken place.

Heard learned Special P.P., who has opposed the prayer for pre-arrest bail.

Having heard both sides and in view of facts and circumstances, I am not inclined to grant pre-arrest bail to appellants Nos. 1 and 2. Let them surrender within six weeks and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

So far appellants 3, 4 & 5, named above, are concerned, let them surrender within 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 Special Judge, SC/ST Act, Aurangabad, in connection with Uphara P.S. Case No. 30 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C. and further conditions is that (1) one of the bailors shall be a local person having sufficient immoveable properties within the



jurisdiction of court concerned and (2) they will co-operate in investigation in the case.

With the above observation, this appeal is disposed of.

**(Vinod Kumar Sinha, J)**

spa/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

