

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2898 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -GHOSI District- JEHANABAD

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1. Kalyan Bind, S/o Nanhku Bind,
2. Arun Bind S/o Ram Briksha Bind,
3. Lakshman Bind S/o Bulaksh Bind,
4. Kameshwar Bind S/o Bulaksh Bind,
All R/o village- Khirauti Garh, P.S.- Ghoshi, District- Jehanabad.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Kulanand Jha

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 14-11-2017 Heard learned counsel for the appellants.

The appellants seek pre-arrest bail in connection with Ghoshi P.S. Case No. 05 of 2017, registered for the offences punishable under Sections 147, 148, 149, 323, 337, 379, 504, 307 of the Indian Penal Code, Section 3(i)(r) Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Section 27 of the Arms Act for setting aside the impugned order dated 23.02.2017 passed by the 1st Additional Session Judge-1st, Jehanabad.

Allegation against the appellants and other accused persons is of abusing the informant by caste name and also firing upon the informant.



Submission of learned counsel for the appellants is that no specific allegation has been attributed of abusing the informant by caste name rather general in nature. 20 accused persons named in F.I.R. So far as the allegation of assault is concerned, there is general allegation.

Heard learned Special P.P.

Having heard both sides and in view of facts and circumstances, this appeal is allowed and 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 Additional Sessions Judge, 1st, Jehanabad in connection with Ghoshi P.S. Case No. 05 of 2017, subject to the conditions as follows:

- (1) One of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of the concerned court.
- (2) The appellants shall cooperate in the investigation and make himself available as and when required by the police and on the



event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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