

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2286 of 2017

Arising Out of PS.Case No. -203 Year- 2016 Thana -TURKAULIYA District-
EASTCHAMPARAN(MOTIHARI)

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1. Lukman Mian Son of Atul Mian
2. Wasir Mian Son of Sattar Mian, Both are resident of Village- Belghatti,
P.S.- Turkauliya, District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sunil Kumar No.Iii

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 12-09-2017 The appellants seeks pre arrest bail in connection with

Turkauliya P.S. Case No. 203 of 2016, registered for offences
punishable under Sections 147, 148, 149, 341, 323, 325,354, 379,
307 and 504 of the Indian Penal Code and Section 3(i)(X)(XI) of
SC/ST Act.

Allegation against the appellants is of assaulting the
informant and abusing her by caste name.

It has been submitted on behalf of the appellants that no
specific allegation of assault has been levelled against the
appellants and further there is no allegation of abusing the
informant by caste name against the appellants. It has also been
submitted by learned counsel for the appellants that some of the



co-accused of this case against whom there was no allegation of abusing the informant, has already been granted the privilege of pre –arrest bail by this Court vide order dated 10.07.2017 passed in Cr. Appeal (SJ) No. 1931 of 2017.

Heard learned Special P.P. also.

Having heard both sides, in view of the above facts, 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 learned 1st Additional Sessions Judge cum Special Judge, SC/ST (POA) Act, East Champaran, Motihari, in connection with Turkauliya P.S. Case No. 203 of 2016, 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 two 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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