

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2820 of 2017

Arising Out of PS.Case No. -42 Year- 2017 Thana -RAJAPAKAR District- VAISHALI(HAJIPUR)

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1. Lalbabu Rai, Son of Late Nagdeo Rai,
2. Harinath Rai, Son of Lagan Rai,
3. Pawan Rai, Son of Bhola Rai,
4. Chandan Kumar, Son of Ranjan Singh, All resident of Village- Shiv
Ganga, P.S.- Raja Pakar, District- Vaishali.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sunil Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-10-2017 The appellants seeks pre arrest bail in connection with Rajapakar (Barauti) P.S. Case No. 42 of 2017, registered for offences punishable under Sections 147, 148, 348, 324, 387, 504, 506, 379/34 of the Indian Penal Code and Section 3(i)(x) of SC/ST Act.

Allegation against the appellants is of abusing the informant by caste name and also assaulted him.

It has been submitted on behalf of the appellants that only general and omnibus allegations have been levelled against the appellants and no specific allegation of any overt act has been attributed to any of the appellants and the occurrence took place between the parties with regard to payment of tempo fare and due



to which this present false case has been filed. Appellants have no criminal antecedents.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation, 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 eight 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 Additional Sessions Judge I, Vaishali at Hajipur, in connection with Rajapakar (Barauti) P.S. Case No. 42 of 2017, 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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