

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.346 of 2019

Arising Out of PS. Case No.-46 Year-2016 Thana- DURAULI District- Siwan

=====

Dilip Ojha @ Dilip Kumar Ojha, son of Baidyanath Ojha, R/o Village Punak
Buzurg PS Darauli District Siwan

... .. Appellant

Versus

The State of Bihar

... .. Respondent

=====

Appearance :

For the Appellant/s : Mr.Rajiv Kumar, Advocate

For the Respondent/s : Mr.Sadanand Paswan, Special P.P.

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 31-01-2019

This appeal is for grant of pre-arrest bail to the appellant against the order dated 15.12.2018 passed by Additional District Judge-I-cum-Special Judge, Siwan, in ABP No. 2100 of 2018 by which learned Special Judge has rejected prayer for pre-arrest bail of the appellant, who has been made accused in Darauli P.S.Case No. 46 of 2016, registered under Sections 143, 147, 148, 149, 151, 341, 342, 323, 307, 332, 333, 337, 338, 188, 353, 427, 504, 506, 120B of the Indian Penal Code, Section 3 of Damage to Public Property Act and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the accused persons, including the appellant is of creating road blocked and when police party came they have assaulted them and damaged the vehicle.

Submission of learned counsel for the appellant is that no specific allegation has been attributed against the appellant and altogether 24 persons have been made accused in this case.

Heard learned Special P.P.



Having heard both sides and in the facts and circumstances, let the appellant, named above, be released on bail, in the event of arrest or surrender, on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional District Judge-I-cum-Special Judge, Siwan, in connection with Darauli P.S.Case No. 46 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C. and one of the bailors of the appellant shall be a local person, having sufficient immoveable properties within the jurisdiction of court concerned.

Accordingly, the appeal is allowed and the impugned order dated 15.12.2018 is set aside.

(Vinod Kumar Sinha, J)

spal/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

