

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.324 of 2019

Arising Out of PS. Case No.-163 Year-2018 Thana- HARSIDHI District- East Champaran

1. Upendra Sah, Son of Late Sitaram Sah Resident of Village - Paithanpatti , P.S- Harsidhi
2. Jitendra Sah Son of Late Kari Sah Resident of Village - Paithanpatti, P.S- Harsidhi
3. Dashrath Sah Son of Late Kari Sah Resident of Village - Paithanpatti, P.S- Harsidhi

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Devendra Kumar
For the Respondent/s : Smt. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 27-02-2019

The appellants seek pre arrest bail in connection with Harisidhi P.S. Case No. 163 of 2018, registered for offences punishable under Sections 341, 323, 379, 504/34 of the Indian Penal Code and Section 3 (a)(b) of SC/ST Act.

Allegation against the appellants is of abusing the informant by caste name and also assaulted her by means of iron rod and petitioner no. 3 took out locket worth Rs. 2500/-

It has been submitted on behalf of the appellants that there is case and counter case between the parties and as a matter of fact appellant no. 3 has lodged a case against son of informant under Section 376 of the Indian Penal Code for committing rape upon the wife of appellant no. 3 and due to which, the present false and



concocted case has been lodged.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, let the appellants, above named, in the event of their arrest or surrender before the Court below within a period of six weeks, be released on bail on furnishing bail bonds 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 Act, East Champaran, in connection with Harisidhi P.S. Case No. 163 of 2018, subject to the conditions laid down under Section 438 (2) of Cr.P.C.

Accordingly, this appeal is allowed and impugned order is set aside.

(Vinod Kumar Sinha, J)

sunilkumar/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

