

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.698 of 2019

Arising Out of PS. Case No.-430 Year-2018 Thana- BARH District- Patna

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1. SURESH YADAV @ SURESH PRASAD YADAV Son of Late Rajendra Rai Resident of Village -Bhatgaon, P.S.- Barh, District- Patna.
 2. Shivjanam Rai @ Shivjanam Gope Son of Late Parsadi Rai Resident of Village -Bhatgaon, P.S.- Barh, District- Patna

... .. Appellant/s

Versus

THE STATE OF BIHAR Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Prem Kumar

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 01-04-2019

The appellants seek pre arrest bail in connection with Barh P.S. Case No. 430 of 2018 (Special Case No. 614 of 2018), registered for offences punishable under Sections 307, 504 and 34 of the Indian Penal Code and Section 3 (i)(r) of SC/ST Act.

Allegation against the appellants is that they abused the informant by caste name and also made firing however, from F.I.R., it appears that the said firing did not hit anybody.

It has been submitted on behalf of the appellants that there is case and counter case between the parties and the case lodged by appellants side is earlier to that lodged by the informant as earlier the husband of the informant used to misbehave with the niece of appellant no. 2 and only with a view to save the skin of her husband, the informant has come out with this false case.



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 Special Judge SC/ST-cum-4th Additional Sessions Judge, Patna, in connection with Barh P.S. Case No. 430 of 2018 (Special Case No. 614 of 2018), subject to the conditions laid down under Sectin 438 (2) of Cr.P.C.

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

(Vinod Kumar Sinha, J)

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CAV DATE	
Uploading Date	
Transmission Date	

