

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.622 of 2019**

Arising Out of PS. Case No.-94 Year-2018 Thana- KUTUMBA District- Aurangabad

1. VINOD SINGH @ BINOD SINGH @ BINOD SINGH VAKIL @ VINOD KUMAR SINGH @ BINOD KUMAR, S/o Brahmdeo Singh, Resident of village-Chapra,P.S-Kutumba, Dist. Aurangabad
2. Tuntun @ Abhishek Singh @ Abhishek Priyadarshi, S/o Sri Vinod Singh resident of village-Chapra,P.S-Kutumba, Dist. Aurangabad

... .. Appellants

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s	:	Mr.Shantanu Kumar
For the Respondent/s	:	Mr.Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT**

Date : 17-04-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 13.8.2018 passed by Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Aurangabad, in A.B.P. filed by the appellants, by which learned Special Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Kutumba P.S.Case No. 94 of 2018, registered under Sections 341, 323, 504/34 of the Indian Penal Code and Sections 3(i) (r), 3(i)(w) and 3(ii)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the accused persons, including the appellants is of assaulting the informant and others.

Submission of learned counsel for the appellants is that there is general and omnibus allegation against the appellants and the Sections of the IPC are bailable and considering the same co-accused persons have been



granted anticipatory bail by a co-ordinate Bench of this Court vide judgment dated 9.10.2018 passed in Cr.App(SJ) No. 3462 of 2018.

Heard learned Special P.P.

Having heard both sides and in the facts and circumstances, let the appellants, named above, be released on bail, in the event of arrest or surrender, on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Aurangabad, in connection with Kutumba P.S. case No. 94 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C. and one of the bailors of the appellants 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 13.8.2018 is set aside.

(Vinod Kumar Sinha, J)

spal/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

