

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.730 of 2019**

Arising Out of PS. Case No.-33 Year-2018 Thana- AMARPUR District- Banka *

SUMIT KUMAR Son of Vivekanand @ Viveka Nand Singh Resident of
Village- Bahorna, P.S.- Belahar, District- Banka.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Prahalad Kumar Bhagat, Advocate
For the Respondent/s : Mr.Sadanand Paswan, Special P.P.

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

Date : 05-03-2019

This appeal is for grant of pre-arrest bail to the appellant against the order dated 8.1.2019 passed by Additional Sessions Judge-I, Banka, in A.B.P. No.1507 of 2018 by which learned Sessions Judge has rejected prayer for pre-arrest bail of the appellant, who has been made accused in Amarpur P.S.Case No. 33 of 2018, registered under Sections 147, 148, 341, 323, 379, 427, 504, 506 of the Indian Penal Code and Section 3(i)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is that he came to the clinic of the informant and demanded Rs.10 lakhs and also abused wife of the informant by caste name.

Submission of learned counsel for the appellant is that this case is counter blast to a case filed by the appellant alleging that due to negligence of wife of the informant his wife and child died.

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 Sessions Judge-I, Banka, in connection with Amarpur P.S. case No. 33 of 2018, 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 8.1.2019 is set aside.

(Vinod Kumar Sinha, J)

spal/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

