

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.580 of 2019

Arising Out of PS. Case No.-183 Year-2018 Thana- SAHIYARA District- Sitamarhi

BALBHADRA CHAUDHARY

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pushpendra Kumar Singh
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 26-02-2019

Heard the parties.

The appellant seeks anticipatory bail in connection with A.B.P. No. 2441 of 2018/684 of 2018 arising out of Sahiyara P.S.Case No. 183 of 2018, registered for offences punishable under Sections 147, 149, 341, 323, 504, 379 and 354 of the Indian Penal Code and Section 3(1) (r) (s) of SC/ST Act.

The allegation as per F.I.R. against the appellant is that when the informant performing puja in her parental village, in the mean time the other co-accused after catching her hand and assaulted her, as a result of which the informant fell down and also calling her by caste name and when her son came to rescue her, he was also assaulted by fists and leg, causing injuries.

Submission of the learned counsel for the appellant is that one day prior of lodging the F.I.R., one case has been lodged by Gagandeo Sahani, a villager against the brother of the informant about committed mar-pit in drunken condition but the



appellants have committed no offence and the case has been lodged by the informant against the appellant is only to save her skin from the case lodged by the appellant and the appellant has no criminal antecedent.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, this appeal is allowed and the impugned order is set aside, let the appellant, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty five thousand)each with two sureties of the like amount each to the satisfaction of the learned 1st Additional District and Sessions Judge- Cum- Special Judge (S.C./S.T. Act), Sitamarhi, in connection with Sahiyara P.S.Case No. 183 of 2018, subject to condition as laid down under Section 438 of CR.P.C.

(Vinod Kumar Sinha, J)

sudha/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

