

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.809 of 2019

Arising Out of PS. Case No.-614 Year-2018 Thana- SHERGHATI District- Gaya

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1. SHANKAR SAO Son of Nathun Sao Resident of Village - Bar Badhu Bigha, P.S.- Sherghati, District- Gaya
 2. Akshay Sao Son of Shankar Sao Resident of Village - Bar Badhu Bigha, P.S.- Sherghati, District- Gaya
 3. Om Prakash Sao Son of Shankar Sao Resident of Village - Bar Badhu Bigha, P.S.- Sherghati, District- Gaya
 4. Ashok Sao Son of Umesh Sao Resident of Village - Bar Badhu Bigha, P.S.- Sherghati, District- Gaya

... .. Appellant/s

Versus

1. THE STATE OF BIHAR AND ANR Bihar
2. Bechu Das Son of Late Ram Virich Das Resident of Village - Barbandhu Bigha, P.S.- Sherghati, District- Gaya

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.S. Jamil Akhtar
For the Respondent/s	:	Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 08-04-2019

The appellants seek pre arrest bail in connection with Sherghati P.S. Case No. 614/18, registered for offences punishable under Sections 341, 324, 504, 448, 379/34 of the Indian Penal Code and Section 3 (r)(s) of SC/ST Act.

Allegation against the appellants is of assault to the informant and his family members and also of abusing by caste name and there is also allegation of trying to outrage the modesty of female members of informant.

It has been submitted on behalf of the appellants that there



is case and counter case between the parties and although, there is allegation of assault, however, the injuries caused to the informant and others were found to be simple in nature and the allegation of outraging the modesty and abusing by caste name is ornamental to make the offence serious.

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 Exclusive Special Judge, SC/ST Act, Gaya in connection with Sherghati P.S. Case No. 614/18, 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)

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AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

