

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.731 of 2019

Arising Out of PS. Case No.-650 Year-2018 Thana- BEGUSARAI TOWN District- Begusarai

1. SUMIT KUMAR @ KOBRA, S/o Pankaj Singh @ Digvijay Singh, Resident of Purbi Kabasia, Ward No. 13, P.S. - Nagar, District - Begusarai.
2. Pankaj Singh @ Digvijay Singh, Son of Balmiki Singh, Resident of Purbi Kabasia, Ward No. 13, P.S. - Nagar, District - Begusarai.
3. Alimardan Singh @ Arimardan Singh, Son of Balmiki Singh, Resident of Purbi Kabasia, Ward No. 13, P.S. - Nagar, District - Begusarai.
4. Sudarshan Singh, Son of Balimiki Singh, Resident of Purbi Kabasia, Ward No. 13, P.S. - Nagar, District - Begusarai.
5. Sonu Kumar @ Sonu Singh S/o Pankaj Singh @ Digvijay Singh, Resident of Purbi Kabasia, Ward No. 13, P.S. - Nagar, District - Begusarai.

... .. Appellants

Versus

THE STATE OF BIHAR

... .. Respondent

Appearance :

For the Appellant/s : Mr.Binod Kumar, Advocate
For the Respondent/s : Mrs.Usha Kumari 1, 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 appellants against the order dated 29.1.2019 passed by Special Judge, SC/ST Act, in A.B.P. No. 2741 of 2018 by which learned Special Judge, SC/ST Act, Begusarai has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Nagar P.S.Case No. 650 of 2018, registered under Sections 341, 323, 506, 427, 379 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellants is that they demanded water from the informant and when he had not given they assaulted him and abused him.



Submission of learned counsel for the appellants is that this case is counter blast to a case lodged by wife of appellant No.2 and no specific allegation has been attributed against them.

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 Special Judge, SC/ST Act, Begusarai, in connection with Nagar P.S. case No. 650 of 2017, 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 29.1.2019 is set aside.

(Vinod Kumar Sinha, J)

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Uploading Date	
Transmission Date	

