

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.814 of 2019**

Arising Out of PS. Case No.-61 Year-2018 Thana- CHEWARA District- Sheikhpura *

1. SUBHASH YADAV @ SUBHASH KUMAR @ SUBHASH KUMAR YADAV, Son of Rajendra Yadav, Resident of Mohalla-Chewara, P.S.-Chewara, District-Sheikhpura.
2. Chunchun Bind, Son of Bona Bind @ Vaiya Bind, Resident of Mohalla-Chewara, P.S.-Chewara, District-Sheikhpura.
3. Manoj Bind, Son of Katha Bind @ Hardev Bind, Resident of Mohalla-Chewara, P.S.-Chewara, District-Sheikhpura.

... .. Appellants

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Syed. Rizwanul Haque, Advocate
For the Respondent/s : Mrs.Usha Kumari 1, Special P.P.

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

Date : 07-03-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 2.2.2019 passed by Additional District and Sessions Judge-I, Sheikhpura, in A.B.P. No.81 of 2019 by which learned Sessions Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Chewara P.S.Case No. 61 of 2018, corresponding to SC/ST Case No.14 of 2019, registered under Sections 341, 323, 504, 379, 34 of the Indian Penal Code and Sections 3(ii)(va), 3(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellants is that they came and abused the informant by caste name and on protest they assaulted him also and further allegation is that appellant No.1 and other co-accused snatched Rs.30,000/- from his pocket.



Submission of learned counsel for the appellants is that there is case and counter case between the parties and the whole allegation is false and concocted and nothing specific has been attributed against any of the appellants.

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 Additional District and Sessions Judge-I, Sheikhpura, in connection with Chewara P.S. case No. 61 of 2018, corresponding to SC/ST Case No. 14 of 2019, 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 2.2.2019 is set aside.

(Vinod Kumar Sinha, J)

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CAV DATE	
Uploading Date	
Transmission Date	

