

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.854 of 2019**

Arising Out of PS. Case No.-211 Year-2017 Thana- DHARHARA District- Munger

ARBIND SAH @ ARBIND KUMAR GUPTA, Son of Jogi Sah @ Jogendra Sah, Resident of Village - Sarobag, P.S.- Dharhara, Distt.- Munger.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

**Appearance :**

For the Appellant/s : Mr.Sanjiv Kumar Singh, Advocate  
For the Respondent/s : Mrs.Usha Kumari 1, Special P.P.

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

**Date : 08-03-2019**

This appeal is for grant of pre-arrest bail to the appellant against the order dated 17.1.2019 passed by Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Munger, in A.B.P. No.68 of 2019 by which learned Sessions Judge has rejected prayer for pre-arrest bail of the appellant, who has been made accused in Dharhara P.S.Case No. 211 of 2017, registered under Sections 341, 323, 379, 504, 34 of the Indian Penal Code and Section 3(i)(r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation is that due to some dispute the appellant abused the informant by caste name and started assaulting him and further allegation is of snatching of Rs.2000/- from his pocket and a gold chain and there is allegation of firing also.

Submission of learned counsel for the appellant is that earlier to that a case has been lodged by the appellant against the informant and others and in order to save their skin the present false and concocted case has been filed and nobody has received injury.



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-cum-Special Judge, SC/ST Act, Munger, in connection with Dharhara P.S. case No. 211 of 2017, 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 17.1.2019 is set aside.

**(Vinod Kumar Sinha, J)**

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