

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.981 of 2019

Arising Out of PS. Case No.-88 Year-2016 Thana- JALALPUR District- Saran

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1. JANAK RAI AND ANR Son of Gopal Rai Resident of Village - Kahi, Noor Nagar, P.S.- Jalalpur, Distt - Saran at Chapra.
 2. Bali Ram Prasad Yadav Son of Gopal Rai Resident of Village - Kahi, Noor Nagar, P.S.- Jalalpur, Distt - Saran at Chapra.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ram Binod Singh
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 18-06-2019 Heard learned counsel for the appellants and the
learned counsel appearing for the State.

This appeal is directed against the order dated 25.10.2018 passed by 1st Additional Sessions Judge, Saran at Chapra in A.B.P. No. 3511 of 2018 in connection with Jalalpur P.S. Case No. 88 of 2016 registered under sections 341, 323, 354, 379, 504/34 of the Indian Penal Code and Sections 3(i) (x) of the S.C. and S.T. (Prevention of Atrocities) Act.

Learned counsel appearing for the appellants submits that the appellants have been falsely implicated in this case. As a matter of fact, the In-charge Head Mistress of the school in question had earlier lodged Jalalpur P.S. Case No. 86 of 2016 (Annexure-2) against the husband of the present informant and his associates. The Incharge Head



mistress has lodged another case bearing Jalalpur P.S. Case No. 87 of 2016 (Annexure-3) against the husband of the informant for fraudulently withdrawing money from the school account by forging her signature. The present false case has been filed in retaliation of the aforesaid two cases lodged by the In-charge Head Mistress in order to save skin. Appellants have got no criminal antecedent.

Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the appellants, above named, in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 25,000/- (Twentyfive thousand) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge, Saran at Chapra, in connection with Jalalpur P.S. Case No. 88 of 2016 subject to the conditions laid down under section 438(2) Cr.P.C.

This appeal is allowed and the impugned order is set aside.

(Arvind Srivastava, J)

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