

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1017 of 2019

Arising Out of PS. Case No.-36 Year-2018 Thana- SC/ST District- Banka *

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1. HURO RAWAT Son of Late Bhujangi Rawat Resident of Village - Hizrar, P.S.- Barahat, Distt.- Banka.
 2. Mahesh Rawat Son of Huro Rawat Resident of Village - Hizrar, P.S.- Barahat, Distt.- Banka.
 3. Mophil Rawat Son of Huro Rawat Resident of Village - Hizrar, P.S.- Barahat, Distt.- Banka.
 4. Mito Devi Wife of Huro Rawat Resident of Village - Hizrar, P.S.- Barahat, Distt.- Banka.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Brij Nandad Prasad
For the Respondent/s : Smt. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 26-03-2019

The appellants seek pre arrest bail in connection with SC/ST P.S. Case No. 36/2018, registered for offences punishable under Sections 147, 148, 149, 341, 323, 324, 504, 506 of the Indian Penal Code and Section 3 (i)(r)(g) of SC/ST Act.

Allegation against the appellants is of assault to the informant by means of fists and slaps and also by sickle and they also abused the informant by caste name.

It has been submitted on behalf of the appellants that only general and omnibus allegation of assault has been levelled against the appellants and as a matter of fact the informant has cultivated sugarcane crops in front of the house of the appellants, which was



opposed by the appellants and due to which, this present false case has been lodged and no such occurrence as alleged in the F.I.R. has ever taken place.

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 Additional Sessions Judge-I, Banka, in connection with SC/ST P.S. Case No. 36/2018, 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	

