

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL APPEAL (SJ) No.1122 of 2019**

Arising Out of PS. Case No.-407 Year-2018 Thana- BARHARIA District- Siwan

1. NEYAZ ALI @ LADDAN MALI Son of Qyum Mali @ Qyim Miya  
Resident of Village - Pakdi, P.S.- Barharia, District - Siwan
2. Qyum Mali @ Qyim Miya Son of Late Juman Mali Resident of Village -  
Pakdi, P.S.- Barharia, District - Siwan

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Javed Aslam

For the Respondent/s : Mr.Sadanand Paswan

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

**Date : 29-03-2019**

The appellants seek pre arrest bail in connection with Barharia P.S. Case No. 407 of 2018, registered for offences punishable under Sections 341, 323, 379, 504/34 of the Indian Penal Code and Section 3 (i)(r) of SC/ST Act.

Allegation against the appellants and other is of assault to the informant and also of abusing by caste name.

It has been submitted on behalf of the appellants that although there is allegation of assault, however, the injuries caused to the informant was found to superficial in nature and the allegation of abusing the informant by caste name is only ornamental in nature.

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 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, Siwan, in connection with Barharia P.S. Case No. 407 of 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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