

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1137 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- CHAUTHAM District- Khagaria

1. UDIN SINGH, S/o Rajendar Singh, Resident of Nawada, P.S.- Chautham, District- Khagaria.
2. Nitish Singh, S/o Udin Singh Resident of Nawada, P.S.- Chautham, District- Khagaria.
3. Hitesh Singh, S/o Udin Singh Resident of Nawada, P.S.- Chautham, District- Khagaria.
4. Pankaj Singh, S/o Udin Singh Resident of Nawada, P.S.- Chautham, District- Khagaria.

... .. Appellants

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Binod Kumar, Advocate
For the Respondent/s : Ms.Usha Kumari 1, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 29-03-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 15.2.2019 passed by Additional Sessions Judge-I-cum-Special Judge, Khagaria, in Special A.B.P. (SC/ST)No. 7 of 2019 filed by the appellants, by which learned Sessions Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Chautham P.S.Case No. 13 of 2019, registered under Sections 147, 148, 149, 504, 436 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the accused persons, including the appellants is of setting the house of the informant on fire.

Submission of learned counsel for the appellants is that no specific allegation has been attributed against the appellants and as a matter o



fact one of the relatives of the appellants had lodged a complaint before the Public Redressal Authority for constructing hut on his land by the informant and his family members and order was passed in favour of the appellants (Annexure-6) and due to that the present case has been lodged.

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 Sessions Judge-I-cum-Special Judge, Khagaria, in connection with Chautham P.S. case No. 13 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 15.2.2019 is set aside.

(Vinod Kumar Sinha, J)

spal/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

