

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1147 of 2019**

Arising Out of PS. Case No.-357 Year-2018 Thana- GORAUL District- Vaishali

ABHISHEK KUMAR, Son of Late Vinod Kumar Ram, Resident of Village -
Goraul, P.S.- Goraul, District- Vaishali

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Anil Kumar, Advocate

For the Respondent/s : Mr.Binay Krishna, 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 appellant against the order dated 15.2.2019 passed by Additional District Judge-I-cum-Special Judge, Vaishali at Hajipur, in A.B.P. No. 317 of 2019 filed by the appellant, by which learned Special Judge has rejected prayer for pre-arrest bail of the appellant, who has been made accused in Goraul P.S.Case No. 357 of 2018, registered under Sections 341, 323, 324, 307, 379, 504, 506/34 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 appellant is of assaulting and abusing the informant by caste name.

Submission of learned counsel for the appellant is that no specific allegation has been attributed against the appellant and moreover appellant himself belongs to SC/ST category which he



has stated in paragraph-8 on oath and he has also annexed caste certificate in support of his contention.

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 District Judge-I-cum-Special Judge, Vaishali at Hajipur, in connection with Goraul P.S. case No. 357 of 2018, 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 15.2.2019 is set aside.

(Vinod Kumar Sinha, J)

spal/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

