

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1404 of 2019

Arising Out of PS. Case No.-115 Year-2017 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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1. DHARMENDRA SHARMA @ DABLU SHARMA Son of late Faujdar Sharma Resident of Village - Khaira Mohan, P.O. Barpa, P.S.- Goh, Distt - Aurangabad.
 2. Shyam Payare Sharma Son of late Gopal Sharma Resident of Village - Khaira Mohan, P.O. Barpa, P.S.- Goh, Distt - Aurangabad.
 3. Amrendra Sharma @ Amrendra Kumar Son of Vameshwar Sharma Resident of Village - Khaira Mohan, P.O. Barpa, P.S.- Goh, Distt - Aurangabad.
 4. Sudhir Sharma @ Amrendra Kumar Son of Baliram Sharma Resident of Village - Khaira Mohan, P.O. Barpa, P.S.- Goh, Distt - Aurangabad.
 5. Virendra Sharma @ Virendra Singh Son of late Lalo Sharma Resident of Village - Khaira Mohan, P.O. Barpa, P.S.- Goh, Distt - Aurangabad.
 6. Vinod Sharma Son of late Umeshwar Sharma Resident of Village - Khaira Mohan, P.O. Barpa, P.S.- Goh, Distt - Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Sanoj Paswan Son of Kaile Paswan Resident of Village - Khaira Mohan, P.S.- Goh, Distt - Aurangabad.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Santosh Kumar Pandey, Advocate
For the Respondent/s : Mr.Usha Kumari 1, Spl..P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 09-04-2019

Heard the parties.

The appellants seek anticipatory bail in connection with Complaint Case No. 115 of 2017, registered for offences punishable under Sections 323, 341, 504 of the Indian Penal Code and Sections 3(1) (r) (s) of SC/ST(Prevention of Atrocities) Act, Aurangabad.

The allegation as per the F.I.R. against the appellants, who are six in numbers of abusing by the informant by calling his caste name and also of assault.



Submission of the learned counsel for the appellants that prior to the F.I.R. in order to save their skin from police case, the appellant No. 1 lodged P.S.Case No. 112 of 2017 and the complaint case has been lodged after the nine days of occurrence and the petitioners have no criminal antecedents and all Sections are bailable in nature. It is further submitted that this case is in ornamental in nature.

Heard learned Spl.P.P.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants, above named, in the event of arrest or surrender before the Court below within a period of six weeks from the date of order be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge (SC/ST) Act, Aurangabad in connection with Complaint Case No. 115 of 2017, subject to condition as laid down under Section 438 of CR.P.C.

With the aforesaid direction, this appeal is allowed and the impugned order is set aside.

(Vinod Kumar Sinha, J)

sudha/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

