

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1339 of 2019

Arising Out of PS. Case No.-314 Year-2018 Thana- JAGDISHPUR District- Bhojpur

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1. PARAS SINGH Son of Ram Bilash Singh Resident of Village-Bimawa Ke Dera, P.S-Jagdishpur, District-Bhojpur.
 2. Ram Niwash Singh @ Ram Niwash Yadav Son of Bideshi Yadav Resident of Village-Bimawa Ke Dera, P.S-Jagdishpur, District-Bhojpur.
 3. Panchdeo, Son of Bideshi Singh Resident of Village-Bimawa Ke Dera, P.S-Jagdishpur, District-Bhojpur.
 4. Tega Saran, Son of Bideshi Singh Resident of Village-Bimawa Ke Dera, P.S-Jagdishpur, District-Bhojpur.
 5. Surendra Singh Son of Bideshi Singh Resident of Village-Bimawa Ke Dera, P.S-Jagdishpur, District-Bhojpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Rajiva Ranjan

For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL JUDGMENT

Date : 14-05-2019

Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been directed against the order dated 13.02.2019 passed by learned 1st Additional District & Sessions Judge, Bhopur, Ara in connection with SC./ST. Case No. 195 of 2018 arising out of Jagdishpur P.S. Case No. 314 of 2018 registered under Sections 147, 148, 149, 341, 323, 324, 186, 307, 337, 338, 353, 354, 332, 427, 120(B), 504 and 151 of the Indian Penal Code and Section 3 of the Public Properties Damage Act and Section 1(r), 1(s) of SC/ST (POA) Act, whereby the prayer for pre-arrest bail of the appellants has been rejected.



Learned counsel appearing for the appellants submits that the appellants, who are of clean antecedent, are innocent and have not committed any offence. In fact, the co-accused Surendra Prasad Singh having more or less similar allegation has already been granted bail by a co-coordinate Bench of this Court in Cr. Appeal (SJ) No. 4534 of 2018 and the case of these appellants stands on similar footing. Hence, the appellants may be granted the privilege of pre-arrest bail.

Considering the facts and circumstances of the case, let the above named appellants in the event of their surrender within a period of four weeks 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 1st Additional Sessions Judge, Bhojpur, Ara in connection with SC/ST Case No. 195 of 2018 arising out of Jagdishpur P.S. Case No. 314 of 2018 subject to the conditions laid down under Section 438(2) of the Cr.P.C.

Accordingly, this appeal is allowed and the impugned order is set aside.

(Arvind Srivastava, J)

brajesh/-

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