

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1355 of 2019

Arising Out of PS. Case No.-451 Year-2018 Thana- MAHUA District- Vaishali

1. AMIT KUMAR JAISWAL @ AMIT CHAUDHARY Son of Late Mithilesh Kumar Jaiswal Resident of Village - Kanhauli, P.S.- Mahua, Distt - Vaishali.
2. Vishal Kumar @ Sujit Chaudhary Son of Late Mithilesh Kumar Jaiswal Resident of Village - Kanhauli, P.S.- Mahua, Distt - Vaishali.
3. Ajit Jaiswal @ Ajit Chaudhary Son of Late Mithilesh Kumar Jaiswal Resident of Village - Kanhauli, P.S.- Mahua, Distt - Vaishali.
4. Mahesh Kumar Jaiswal @ Mahesh Chaudhary Son of Late Kailash Prasad Chaudhary Resident of Village - Kanhauli, P.S.- Mahua, Distt - Vaishali.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pravin Kumar
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 17-05-2019 Heard learned counsel for the appellants and
learned Spl. P.P. for the State.

The appellants seek pre-arrest bail in connection with Mahua P.S. Case No. 451 of 2018 registered under Sections 341, 323, 307, 302/34 of the Indian Penal Code and Section 3 (i) (r) (s) and section 3 (2) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Submission of learned counsel for the appellants is that the appellants have no criminal antecedent. Earlier a case was also lodged against the informant and others on



behalf of the appellant no.3, as evident from perusal of Annexure-2 to the application. Further submission is that on perusal of Annexure-3, it appears that no any external or internal injury is found on the body of the deceased. The appellants are innocent and have falsely been implicated in the present case.

Having heard both sides and in the facts and circumstances of the case, let the above named appellants 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 the 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Vaishali at Hajipur in connection with Mahua P.S. Case No. 451 of 2018, subject to the conditions as laid down under section 438(2) of Cr. P.C.

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

(Arvind Srivastava, J)

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