

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.152 of 2019

Arising Out of PS. Case No.-46 Year-2018 Thana- PIPRA District- East Champaran

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1. Satyendra Singh, Son of Sudama Singh
 2. Sudama Singh, Son of Late Kapildeo Singh
 3. Munna Singh @ Munnu Singh @ Harendra Singh, Son of Late Bachcha Singh
 4. Satyendra Singh, Son of Suryadeo Singh
 5. Muntun Singh @ Mantu Singh, Son of Suryadeo Singh
 6. Sanjay Singh, Son of Suryadeo Singh
 7. Vijay Singh, Son of Late Chanardeo Singh
 8. Upendra Singh, Son of Late Bachcha Singh
 9. Nageshwar Singh @ Nageshwar Thakur, Son of Late Singhashan Thakur. All Resident of Village-Madhurapur,P.S. Pipra,Dist.-East Chaparan

... .. Appellants

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Umesh Chandra Verma, Advocate
For the Respondent/s : Mr.Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 29-01-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 29.11.2018 passed by Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, East Champaran at Motihari, in ABP No. 3052 of 2018 by which learned Special Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Pipara P.S.Case No. 46 of 2018 registered under Sections 147, 148, 323, 324, 307, 379, 504, 506 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(i)(c)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellants is of assaulting and abusing the informant by taking his caste name.



Submission of learned counsel for the appellants is that there is case and counter case between the parties and informant is in habit of lodging such type of false cases against innocent persons and in other cases appellants are on bail.

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, SC/ST Act, East Champaran at Motihari, in connection with Pipara P.S.Case No. 46 of 2018, 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 29.11.2018 is set aside.

(Vinod Kumar Sinha, J)

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CAV DATE	
Uploading Date	
Transmission Date	

