

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4780 of 2018

Arising Out of PS. Case No.-20 Year-2018 Thana- SC/ST District- Bhojpur

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1. Mul Singh, S/O Biju Singh
 2. Chandan Singh, S/O Banbir Singh
 3. Radha Singh @ Radhe Singh, S/O Mul Singh All are resident of Village Dhandiha P.S. Koilwar, District Bhojpur

... .. Appellants

Versus

The State Of Bihar

... .. Respondent

Appearance :

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

For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 05-02-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 3.12.2018 passed by Additional Sessions Judge-I, Bhojpur, in A.B.P. No.1907 of 2018 by which learned Sessions Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Bhojpur Ara SC/ST P.S.Case No. 20 of 2018, registered under Sections 147, 341, 323, 325, 307, 354B, 504 of the Indian Penal Code and Sections 3(i)(h)(r)(s) & 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant No.2 is of abusing the informant when he refused to work in their field and allegation against appellant Nos. 1 & 3 is that they have assaulted informant.

Submission of learned counsel for the appellants is that there is general and omnibus allegation against appellant Nos. 1 and 3 and further they have compromised the matter.

Heard learned Special P.P.



Having heard both sides and in view of allegation, as stated above, so far appellant No.2 is concerned, I am not inclined to grant privilege of anticipatory bail to him. He should surrender and make prayer for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

So far appellant Nos. 1 and 3 are concerned, in the event of their surrender in the court below within a period of six weeks from the receipt of this order, they shall be released on bail 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, Bhojpur, Ara, in connection with Bhojpur Ara SC/ST P.S. case No. 20 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 immovable properties within the jurisdiction of court concerned.

Accordingly, the appeal is allowed and the impugned order dated 3.12.2018 is set aside with respect to appellant Nos. 1 and 3 are concerned. Accordingly, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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Uploading Date	
Transmission Date	

