

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1447 of 2019

Arising Out of PS. Case No.-129 Year-2018 Thana- SURYAPUR District- Rohtas

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1. Mithilesh Kumar Dubey @ Mithilesh Dubey Son of Kamal Kant Dubey Resident of Village - Andhar, P.S.- Surajpura, Distt.- Rohtas.
 2. Akhilesh Kumar @ Akhilesh Dubey Son of Kamal Kant Dubey Resident of Village - Andhar, P.S.- Surajpura, Distt.- Rohtas.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Abhinay Raj, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Advocate

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT

Date : 21-05-2019

Heard learned counsel for the appellants and
learned Spl. P.P. for the State.

The appellants seek pre-arrest bail in connection
with Suryapura P.S. Case No. 129 of 2018 registered under
Sections 341, 354(B), 506, 34 of the Indian Penal Code,
Section 8 of the POCSO Act, Section 7 of the I.T. Act and
Section 3 (i) (r) (s) 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. They are
innocent and have falsely been implicated in the present case
due to village politics. No specific overt act has been



attributed against the appellants. Further submission is that in the instant case, the first information report is lodged after two and half months of the alleged occurrence.

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) with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Rohtas at Sasaram in connection with POCSO case No. 88 of 2018 and Suryapura P.S. Case No. 129 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)

shailendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

