

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1662 of 2019

Arising Out of PS. Case No.-370 Year-2018 Thana- MANER District- Patna

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1. BIGAN RAI Son of Sorahi Rai @ Sorahi Singh Resident of Village-Bhikhabandh, P.S-Maner, District-Patna.
 2. Basudeo Rai @ Basdev Rai Son of Late Rameshwar Rai @ Ram Ashray Rai Resident of Village-Bhikhabandh, P.S-Maner, District-Patna.
 3. Chandev Rai Son of Mosafir Rai Resident of Village-Bhikhabandh, P.S-Maner, District-Patna.
 4. Dasharath Rai @ Bhanta Rai @ Bhanta Son of Bishwanath Rai Resident of Village-Bhikhabandh, P.S-Maner, District-Patna.
 5. Yodhan Rai @ Jodhan Rai Son of Sohari Rai Resident of Village-Bhikhabandh, P.S-Maner, District-Patna.
 6. Harishankar Rai @ Shankar Rai Son of Mala Rai Resident of Village-Bhikhabandh, P.S-Maner, District-Patna.
 7. Sonu Rai, Son of Bijendra Rai Resident of Village-Bhikhabandh, P.S-Maner, District-Patna.
 8. Mala Rai, Son of Dev Sharan Rai Resident of Village-Bhikhabandh, P.S-Maner, District-Patna.
 9. Dhiraj Rai, Son of Mahendra Rai Resident of Village-Bhikhabandh, P.S-Maner, District-Patna.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Shekhar Kumar Singh
For the Respondent/s : Mr. Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL JUDGMENT

Date : 17-05-2019

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 20.02.2019 passed by learned Special Judge SC/ST Act, Patna in connection with Maner P.S. Case No. 370 of 2018 registered under Sections 341, 323, 504 and 34 of the Indian Penal Code and Section 3(i)(r)(v) 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 are innocent and have not committed any offence. In fact, the co-accused having more or less similar allegations have already been granted pre-arrest bail by a co-ordinate Bench of this Court in Cr. Appeal (S.J.) No. 218 of 2019 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 Special Judge, SC/ST Act, Patna in connection with Maner P.S. Case No. 370 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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