

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1576 of 2019**

Arising Out of PS. Case No.-5 Year-2019 Thana- SC/ST District- Katihar

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DINESH @ BABLOO @ UPENDRA SINGH Son of Late Jaimangal Singh
Resident of Village - Bandh Tola, Bishanpur, P.S.- Korha, District - Katihar.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Mukesh Kumar Jha

For the Respondent/s : Mr.Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT**

Date : 24-04-2019

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 23.03.2019 passed by the 1st Additional Sessions Judge -cum- Special Judge, Katihar in connection with Katihar SC/ST P.S. Case No. 5 of 2019 registered under Sections 323, 504, 506, 420 and 406 of the Indian Penal Code and Section 3(1)(s) of SC/ST (POA) Act, whereby the prayer for pre-arrest bail of the appellants has been rejected.

Learned counsel appearing for the appellant submits that the appellant is innocent and has not committed any offence. In fact, the similarly situated co-accused in this case has been granted bail by a co-ordinate Bench of this Court in Cr. Appeal (SJ) No. 1154 of 2019 vide order dated 01.04.2019.



Hence, the appellant may be granted the privilege of pre-arrest bail.

Considering the facts and circumstances of the case, let the above named appellant in the event of his surrender within a period of four weeks be released on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, -cum- Special Judge, Katihar in connection with Katihar SC/ST P.S. Case No. 05 of 2019 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/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

