

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1578 of 2019

Arising Out of PS. Case No.-40 Year-2018 Thana- SC/ST District- Vaishali

- =====
1. VIKRAM KUMAR @ VIKRAM RAI Son of Ram Pravesh Rai @ Gogal Rai Resident of Village - Dighi Kala West, P.S.- Sadar Hazipur, District - Vaishali
 2. Kali Charan Rai Son of Ram Pravesh Rai @ Gogal Rai Resident of Village - Dighi Kala West, P.S.- Sadar Hazipur, District - Vaishali
 3. Kundan Kumar @ Kundan Rai Son of Ram Pravesh Rai @ Gogal Rai Resident of Village - Dighi Kala West, P.S.- Sadar Hazipur, District - Vaishali
 4. Gogal Rai @ Ram Pravesh Rai Son of Bhawani Rai Resident of Village - Dighi Kala West, P.S.- Sadar Hazipur, District - Vaishali
 5. Pramod Rai Son of Gena Rai Resident of Village - Dighi Kala West, P.S.- Sadar Hazipur, District - Vaishali
 6. Lalan Rai Son of Gena Rai Resident of Village - Dighi Kala West, P.S.- Sadar Hazipur, District - Vaishali
 7. Vijay Rai Son of Siya Ram Rai Resident of Village - Dighi Kala West, P.S.- Sadar Hazipur, District - Vaishali

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Pramod Kumar Verma

For the Respondent/s : Mr.Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA

ORAL JUDGMENT

Date : 29-04-2019

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 07.03.2019 passed by the Additional Sessions Judge, 1st -cum- Special Judge, Vaishali at Hajipur in connection



with Hajipur S.C./S.T. P.S. Case No. 40 of 2018 registered under Sections 447, 341, 323, 354, 380, 504 and 506/34 of the Indian Penal Code and Section 3(1)(r) and 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 appellants submits that the appellants, who are of clean antecedents, are innocent and have not committed any offence. In fact, on account of earlier dispute the informant and others assaulted the appellants for which the appellants have lodged a case against the informant and others and on account of that case the appellants have falsely been implicated in this case by the informant. 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 Additional Sessions Judge, 1st -cum- Special Judge, Vaishali at Hajipur in connection with Hajipur S.C. and S.T. P.S. Case No. 40 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/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

