

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1984 of 2019

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

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GUDDU RAI @ CHOTU Son of Harendra Rai Resident of Village- Dighi Kala
West, P.S.- Hajipur Sader 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.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT

Date : 15-05-2019

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 07.03.2019 passed by learned Additional Sessions Judge-1st -cum- Special Judge, Vaishali at Hajipur in connection with Hajipur SC/ST P.S. Case No. 40 of 2018 registered under Sections 447, 341, 323, 354, 380, 504, 506/34 of the Indian Penal Code and Section 3(1)(r), 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 who is of clean antecedent, is innocent and has not committed any offence. In fact, altercation took place between the parties in which the informant side sustained injury



which is simple in nature. There is case and counter case between the parties. 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) 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 SC/ST 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/-

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