

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3574 of 2018

Arising Out of PS. Case No.-8 Year-2017 Thana- SC/ST BAGHA District- West Champaran

1. Bachcha Prasad @ Bachcha Kushwaha, S/o Late Munshi Kushwaha.
2. Shailesh Kushwaha S/o Bachcha Kushwaha,
3. Sandeep Kushwaha S/o Bachcha Kushwaha, All are R/o Vill.- Koirpatti P.S.- Thakaraha, District- West Champaran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Lalan Kumar Verma
For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 07-01-2019 Heard the parties.

The appellants seek pre-arrest bail in Bagaha S.C./S.T. P.S.Case No.8/17 registered for the offences under Sections 341, 323, 354(B), 504, 506/34 of the I.P.C. and Section 3(i) (r) (w) of S.C./S.T. (POCSO) Act.

Allegation as per the F.I.R. is that the appellants came to the door of the informant and abused her by caste name and also caught her hair and dragged her inside the house due to which she became naked and on her halla they fled away.

Submission of the learned counsel for the appellants is of false implication in this case. Several witnesses have not supported the prosecution case. He further submits that there is land dispute between the parties.



Heard learned Special P.P. also.

Having heard both sides and in view of the facts and circumstances of the case, let all the three appellants, above named, in the event of their arrest or surrender before the court below within a period of six weeks from today, be released on bail on furnishing bail bonds of Rs.25,000/- each with two sureties of the like amount each to the satisfaction of the 1st Additional District and Sessions Judge, Bettiah (West Champaran), in Bagaha S.C./S.T. P.S. Case No.8/17 subject to the conditions as laid down under Section 438(2) of Cr.P.C. with further condition that they shall co-operate in the investigation.

Accordingly, the appeal is allowed and the impugned order is set aside.

(Vinod Kumar Sinha, J)

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