

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3655 of 2018

Arising Out of PS. Case No.-204 Year-2018 Thana- HISUWA District- Nawada

Mohit Kumar S/o Raj Kumar Sao, R/o Vill.- Teli Tola, Hisua, P.S.- Hisua,
Distt.- Nawada.

... .. Appellant

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Birendra Kumar, Advocate

For the Respondent/s : Mr.Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 22-01-2019

This appeal is for grant of pre-arrest bail to the appellant against the order dated 27.8.2018 passed by Additional Sessions Judge-I, Nawada, in ABP No. 1324 of 2018 by which learned Sessions Judge has rejected prayer for pre-arrest bail of the appellant, who has been made accused in Hisua P.S.Case No. 204 of 2018 registered under Sections 147, 148, 149, 341, 323, 447, 448, 427, 307, 354B, 379, 504, 506 of the Indian Penal Code, Section 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Section 27 of the Arms Act.

Allegation against the accused persons, including the appellant is that they came with variously armed to the informant, abused him by taking his caste name and made firing.

Submission of learned counsel for the appellant is that FIR itself shows that nobody had received injury and he has falsely been implicated in this case as there was dispute with respect to road between the parties.

Heard learned Special P.P.



Having heard both sides and in the facts and circumstances, let the appellant, named above, be released on bail, in the event of arrest or surrender, on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I, Nawada, in connection with Hisua P.S.Case No. 204 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C. and one of the bailors of the appellant shall be a local person, having sufficient immoveable properties within the jurisdiction of court concerned.

Accordingly, the appeal is allowed and the impugned order dated 27.8.2018 is set aside.

(Vinod Kumar Sinha, J)

spal/-

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CAV DATE	
Uploading Date	
Transmission Date	

