

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.3959 of 2018**

Arising Out of PS. Case No.-55 Year-2018 Thana- SC/ST District- East Champaran

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1. Abhay Singh @ Abhay Kumar Singh son fo Rajeshwar Singh  
2. Rajeshwar Singh son of Jagdish Singh  
3. Mukleshwar Singh son fo Jagdish Singh  
All residents of vill. Jaisinghpur, Babu Tola, P.S.Turkauliya District East  
Champaran ... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Umesh Chandra Verma  
For the Respondent/s : Mr.Binay Krishna

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL JUDGMENT**

**Date : 28-02-2019**

Heard the parties.

The appellants are apprehending their arrest in connection with SC/ST (Mootihari) P.S.Case No.55 of 2018 , registered for offences punishable under Sections 341, 323, 324, 325, 354(B), 379, 504/34 of the Indian Penal Code Section 27 of the Arms Act and Section 3(i)(d)(r)(s) of SC/ST (POA) Act..

Allegation against the appellant no.1 is of assaulted by *Farsa* to the informant and the appellant nos. 2 and 3 are named in the FIR.

Submission of the learned counsel for the appellants is that there is case and counter case though there is allegation against the appellant no.1 of assault but the injury is not available and there is no specific allegation against the appellant no.2 and 3.

Heard learned A.P.P. also.



Having heard both sides and in view of the facts and circumstances, as stated above, so far appellant nos. 2 Rajeshwar Singh and 3. Mukleshwar Singh are concerned, in the event of arrest or surrender before the court below within a period of six weeks from the date of order 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 1<sup>st</sup> Addl. Sessions Judge cum Special Judge, SC/ST (POA) Act, East Champaran at Motihari in connection with ABP No.2412 of 2018 arising out of SC/ST (Motihari) P.S.Case no.55 of 2018 dated 3.6.2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

So far appellant no.1. Abhay Singh @ Abhay Kumar Singh is concerned, he is directed to surrender before the learned Spl. Judge and make prayer for regular bail, which will be considered on the basis of materials available on the record on its own merit without being prejudiced by the order of this Court.

Accordingly, this application is disposed of.

**(Vinod Kumar Sinha, J)**

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