

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4653 of 2018

Arising Out of PS. Case No.-112 Year-2017 Thana- SC/ST District- East Champaran

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1. Vishwanath Sah and Anr Son of Asharfi Sah
 2. Pushpa Devi Wife of Vishwanath Sah Both Resident of Village-Bagahi,P.S. Sugauli,Distt.-East Champaranat Motihari

... .. Appellant/s

Versus

1. State Of Bihar and Anr
2. Puja Kumari D/o Chhotelal Paswan Resident of Village-Turkaulia,P.S. Turkaulia,Distt.-East Champaranat Motihari,at present Mohalla-Agarwa P.S. TownThana,Distt.-East Champaranat Motihari

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Jagdish Prasad
For the Respondent/s : Mr.Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 23-01-2019

The appellants seek pre arrest bail in connection with SC/ST P.S. Case No. 112 of 2017, registered for offences punishable under Sections 313, 376, 323, 420, 467, 466, 471, 504/34 of the Indian Penal Code and Section 3(i)(r)(s), 3(i)(r)(a) of SC/ST Prevention of Atrocities Act.

Allegation as per F.I.R. is that the co-accused, who is son of appellants, made physical relationship with the informant on the pretext of marriage and allegation against these appellants, who are father and mother of the said co-accused is that they ousted the informant from the house.

It has been submitted on behalf of the appellants that they have falsely been made accused in this case and whatever



allegation is there that is against the co-accused Brajesh Kumar, who has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 16.07.2018 passed in Crimnial Appeal (SJ) No. 1370 of 2018.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, let the appellants, above named, in the event of their arrest or surrender before the Court below, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari, in connection with SC/ST P.S. Case No. 112 of 2017, subject to the conditions laid down under Sectin 438 (2) of Cr.P.C.

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

(Vinod Kumar Sinha, J)

sunilkumar/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

