

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4313 of 2018

Arising Out of PS. Case No.-262 Year-2016 Thana- MOTIHARI MUFASIL District- East
Champaran

-
1. Binda Rai Son of Late Saryug Rai,
 2. Badhan Ram, Son of Sheo Sharan Rai, Both resident of Village- Harajtola,
Lakshmipur, Police Station- Muffasil, District East Champaran.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anuj Kumar

For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 21-02-2019

The appellants seek pre-arrest bail in connection with Mufassil P.S. Case No. 262 of 2016, registered for offences punishable under Sections 323, 386, 504/34 of the Indian Penal Code and Section 3(1)(i)(ii)(iv)(v)(xi) of SC/ST Act.

Allegation against appellant no.1 is of abusing the informant by taking caste name and appellant no.2 is also named in the F.I.R.

Submission of learned counsel for the appellants is that F.I.R. itself shows that the dispute is with respect to land and for that a title suit is pending and due to that the present case has been lodged against the appellants. Further, they have no criminal antecedents.



Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case as stated above, let appellants, above named, be surrendered within a period of six weeks and on surrender they will release 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 1st Additional Sessions Judge,-cum-Special Judge, SC/ST (POA) Act, East Champaran, Motihari, in connection with Mufassil P.S. Case No. 262 of 2016, 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.

(Vinod Kumar Sinha, J)

Amjad/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

