

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1614 of 2018

Arising Out of PS. Case No.-282 Year-2017 Thana- BHARGAMA District- Araria

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1. Agam Lal Yadav, S/o Late Sifat Lal Yadav, Resident of Village-Navtol, Dhaneshwari, P.S-Bhargama, Dist.-Araria
 2. Prem Chand Yadav, S/o Late Bindeshwari Yadav Resident of Village-Navtol, Dhaneshwari, P.S-Bhargama, Dist.-Araria
 3. Mithu Yadav @ Mitilesh, S/o Sukhdeo Yadav, Resident of Village-Navtol, Dhaneshwari, P.S-Bhargama, Dist.-Araria
 4. Guddu Kumar, S/o Late Jawahar Yadav (Saman Gram Panchayat Dhaneshwari) Resident of Village-Navtol, Dhaneshwari, P.S-Bhargama, Dist.-Araria
 5. Musafir Yadav @ Bhupendra Yadav, S/o Late Bipat Yadav, resident of Village- Navtol, Dhaneshwari, P.S.- Bhargama, District- Araria.

... .. Appellants

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Rajesh Kumar Sinha
For the Respondent/s : Smt Usha Kumari No

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 16-04-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 26.2.2018 passed by Additional Sessions Judge-I-cum-Special Judge, Araria, in A.B.P. No. 250 of 2018 filed by the appellants, by which learned Special Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Special SC/ST Case No. 332 of 2017, arising out of Bhargama P.S.Case No. 282 of 2017, registered under Sections 147, 149, 341, 323, 384, 504, 506, 427, 353 of the Indian Penal



Code and Section 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Informant is the President of Vidyalay Shiksha Samiti, Dhaneshwar and the allegation against the appellants is that they came and damaged the newly constructed building and abused the informant by caste name.

Submission of learned counsel for the appellants is that earlier appellants have filed a petition before the District Magistrate, Araria with respect to construction of the school building not in the vacant land, rather in the campus of the school and for that the present false case has been filed against them.

Heard learned Special P.P.

Having heard both sides and in the facts and circumstances, let the appellants, named above, be released on bail, in the event of arrest or surrender, on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-I-cum-Special Judge, Araria, in connection with Special SC/ST Case No. 332 of 2017, arising out of Bhargama P.S. case No. 282 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C. and one of the bailors of the appellants 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 26.2.2018 is set aside.

(Vinod Kumar Sinha, J)

spal/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

