

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3480 of 2018

Arising Out of PS. Case No.-20 Year-2014 Thana- SC/ST District- Saran

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1. Dharmendra Sah, son of Munshi Sah
 2. Prakash Sah, son of Munshi Sah
 3. Sona sah @ Sonu Sah @ Sona Singh, son of Mangani Sah
 4. Harendra Sah, son of Mangani Sah
 5. Asharphi Sah, son of Mangani Sah, all are resident of Village- Banpura, P.S.- Janta Bazar, District- Saran at Chapra.

... .. Appellants

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Vijay Kumar

For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 22-01-2019

In the order dated 17.1.2019 by mistake date of listing the case for admission has been mentioned as 25.1.2019 in place of 22.1.2019. The order stands modified accordingly.

This appeal is for grant of pre-arrest bail to the appellants against the order dated 23.7.2018 passed by Additional Sessions Judge-I, Saran at Chapra in ABP No. 1626 of 2018 by which learned Sessions Judge has rejected prayer for pre-arrest bail of the appellants, who are made accused in SC/ST P.S.Case No. 20 of 2014 registered under Sections 147, 341, 323, 504, 506, 429 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation as per FIR is that one pig of the informant was missing and for that he enquired the same from the appellants, who had assaulted and abused him.



Submission of learned counsel for the appellants is that nothing specific has been attributed against any of the appellants.

Heard learned Special P.P., who has opposed the prayer for pre-arrest bail of the appellants.

Having heard both sides and in the facts and circumstances, let the appellants, named above, surrender within a period of six weeks from the receipt of this order and on surrender they shall be released on bail 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 Additional Sessions Judge-I, Saran at Chapra, in connection with SC/ST P.S.Case No. 20 of 2014, 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 23.7.2018 is set aside.

(Vinod Kumar Sinha, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

