

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3552 of 2018

Arising Out of PS. Case No.-61 Year-2018 Thana- MANJHI District- Saran

=====

Akash Soni, Son of Jitendra Soni @ Jitendra Sah, resident of Village- Buzurg,
Saran, Khanpur, Bhalua, P.S.- Manjhi, District- Saran at Chapra.

... .. Appellant

Versus

The State Of Bihar

... .. Respondent

=====

Appearance :

For the Appellant/s : Mr.Ajay Kumar Sinha
For the Respondent/s : Smt Usha Kumari No-1

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 22-01-2019

I.A. No. 2737 of 2018 has been filed for condonation of delay of
19 days in filing the appeal.

Having heard both sides and in the facts and circumstances, I.A.
No. 2737 of 2018 is allowed and the delay in filing the appeal is condoned.

This appeal is for grant of pre-arrest bail to the appellant against
the order dated 17.5.2018 passed by Additional Sessions Judge-I, Saran at
Chapra in ABP No. 1153 of 2018 by which learned Sessions Judge has
rejected prayer for pre-arrest bail of the appellant, who has been made
accused in Manjhi P.S.Case No. 61 of 2018 registered under Sections 147,
341, 323, 325, 354, 379, 504, 506 of the Indian Penal Code and Sectiond 3(i)
(r)(w), 3(2))va) of the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.

Allegation against the appellant is that he thrashed the informant
on the ground and there is allegation against other accused persons is of
assaulting the informant.



Submission of learned counsel for the appellant is that no case is made out under the SC/ST Act against the appellant and there is no allegation of assault against the appellant.

Heard learned Special P.P.

Having heard both sides and in the facts and circumstances, let the appellant, named above, be released on bail, in the event of arrest or surrender, on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I, Saran at Chapra, in connection with Manjhi P.S.Case No. 61 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C. and one of the bailors of the appellant 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 17.5.2018 is set aside.

(Vinod Kumar Sinha, J)

spal/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

