

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3530 of 2018

Arising Out of PS. Case No.-148 Year-2018 Thana- NAVINAGAR District- Aurangabad

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1. Bittu @ Bitu Kumar @ N Ikhil Singh @ Nikhil Kumar, Son of Sanjay Singh, resident of Village- Sonpura, P.S. Nabinagar, District- Aurangabad.
 2. Chhotu Kumar, Son of Upendra Singh, resident of Village- Baknoura, P.S. Nabinagar, District- Aurangabad.

... .. Appellant/s

Versus

1. The State of Bihar.
2. Dina Nath Paswan, Son of Late Suryadeo Paswan, resident of Village- Mankhap, Jowe, Ward No.14, P.S. Nabinagar, District- Aurangabad.

... .. Respondent/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 07-01-2019 Heard the parties.

The appellants seek pre-arrest bail in Nabinagar P.S. Case No.148/18 registered for the offences under Sections 341, 323, 354, 504, 506/34 of the I.P.C. and Section 3 of S.C./S.T. (Prevention of Atrocities) Act.

Allegation against the appellants as well as six other accused persons is of teasing the girl Anita Devi and chasing her and her brother and also abusing them by taking their cast name.

Submission of the learned counsel for the appellants is that no specific allegation is attributed against them and moreover, the complaint/F.I.R. has not been lodged by the victim Anit Devi or her brother rather by their co-villager which



will appear from paragraph 6 of the Memo of Appeal.

Heard learned Special P.P. also.

Having heard both sides and in view of the facts and circumstances of the case, let the appellants, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be released on bail on furnishing bail bonds of Rs.25,000/-each with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T.) Act, Aurangabad, in Nabinagar P.S.Case No.148/18 subject to the conditions as laid down under Section 438(2) of Cr.P.C. and other condition that they will cooperate in the investigation.

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

(Vinod Kumar Sinha, J)

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