

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3784 of 2018

Arising Out of PS. Case No.-103 Year-2017 Thana- MAJHAULIA District- West Champaran

Awnish Kumar Pandey, Son of Ajay Pandey, resident of Village- Birwa P.S.
Majhauria, District- West Champaran.

... .. Appellant

Versus

The State of Bihar.

... .. Respondent

Appearance :

For the Appellant/s : Mr.Birendra Kumar Singh
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 03-01-2019 Appellant seeks pre-arrest bail in connection with

Majhauria P.S.Case No. 103 of 2017 registered for the offences
punishable under Sections 341, 323, 307/34 of the Indian Penal
Code and Section 3(ii)(va) of Scheduled Castes and Scheduled
Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is that he along with
others intercepted the informant and demanded extortion from
him and also assaulted him and abused him by taking his caste
name.

Submission of learned counsel for the appellant is that
as a matter of fact the informant and one Firoz Alam were
involved in a case of sexual harassment of a girl and for that
departmental proceedings were initiated against them and the
present case has been lodged on suspicion against the appellant.



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

Having heard both sides and in the facts and circumstances, as stated above, let appellant, named above, surrender in the court below within a period of six weeks from the receipt of this order and on surrender he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Special Judge (ST/ST Act), West Champaran, Bettiah, in connection with Majhauria P.S. Case No. 103 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions are that one of the bailors of the appellant shall be a local person having sufficient immovable properties within the jurisdiction of court concerned and he has to co-operate in investigation, otherwise his bail bond shall be cancelled.

Accordingly, this appeal is allowed and the impugned order dated 7.8.2018 is set aside.

(Vinod Kumar Sinha, J)

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