

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4035 of 2018

Arising Out of PS. Case No.-117 Year-2017 Thana- MADHAURAH District- Saran

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1. Awadhesh Kumar @ Awadhesh Singh, Son of Bam Singh, Resident of Village- Chintamanpur, Police Station- Panapur, District- Saran.
 2. Mantu Kumar Singh @ Mantu Singh, Son of Baijnath Singh, Resident of Village- Pakri Narotam, Police Station- Panapur, District- Saran.
 3. Subhash Singh @ Subash Singh, Son of Vashishth Singh, Resident of Village- Narotam Pakri, Police Station- Panapur, District- Siwan.
 4. Rajesh Kumar Singh, Son of Bhairav Singh, Resident of Village- Pakri Narotam, Police Station- Panapur, District- Saran.

... .. Appellants

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Gaurav Kumar, Advocate
For the Respondent/s : Smt Usha Kumari No-1, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 21-02-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 28.7.2018 passed by Additional Sessions Judge-I-Special Judge, SC/ST Act, Saran at Chapra, in A.B.P. No.1622 of 2018 by which learned Special Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Panapur P.S.Case No. 117 of 2017, registered under Sections 147, 148, 149, 341, 323, 385, 379, 504 of the Indian Penal Code and Section 3(i)(xi)(s)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellants is that they have surrounded the informant and assaulted him and snatched his mobile phone and abused him by caste name and also there is allegation of demanding of Rs.1 lakh as extortion against them.



Submission of learned counsel for the appellants is that there I case and counter case between the parties and further appellant No.1 was Munsif of the informant and there was some dispute with respect to wages and due to that the present case has been lodged.

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 Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Saran at Chapra, in connection with Panapur P.S. case No. 117 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 28.7.2018 is set aside.

(Vinod Kumar Sinha, J)

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CAV DATE	
Uploading Date	
Transmission Date	

