

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3678 of 2018

Arising Out of PS. Case No.-114 Year-2018 Thana- JANDAHA District- Vaishali

Rabindra Chaudhary S/o Late Khushi Chaudhary, R/o Vill.- Pirapur, P.S.-
Tisiauta , Distt.- Vaishali.

... .. Appellant

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Mukesh Kumar No-1
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 03-01-2019 Appellant seeks pre-arrest bail in connection with

Jandaha P.S.Case No. 114 of 2018 registered for the offences

punishable under Sections 341, 323, 354, 379/34 of the Indian

Penal Code and Section 3(i) of Scheduled Castes and Scheduled

Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is that he abused the

wife of informant and also assaulted her and snatched silver

chain from her neck.

Submission of learned counsel for the appellant is that

there is case and counter case between the parties and there is

dispute with respect to purchase of buffalo which appellant has

not supplied as the same was not available and injury is simple

in nature and allegation of abuse by taking caste name is

ornamental in nature in order to make the case serious.



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 Additional Sessions Judge-I, Vaishali at Hajipur, in connection with Jandaha P.S. Case No. 114 of 2018, 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 appellants shall be a local person having sufficient immovable properties within the jurisdiction of court concerned and they have to co-operate in investigation, otherwise their bail bonds shall be cancelled.

Accordingly, this appeal is allowed and the impugned order dated 29.8.2018 is set aside.

(Vinod Kumar Sinha, J)

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