

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4508 of 2018

Arising Out of PS. Case No.-97 Year-2018 Thana- JALALPUR District- Saran

1. Baikunth Singh @ Baikunth Prasad Singh, Son of Chandrika Singh,
2. Bashishth Singh,
3. Rajan Singh,
4. Shubh Narayan Singh, All Sons of Late Rajendra Singh.
5. Dharmendra Singh, Son of Baikunth Singh @ Baikunth Prasad Singh, All residents of Village- Baraka Savari, P.S.- Jalalpur, District- Saran at Chapra.

... .. Appellants

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s	:	Mr.Dewendra Narayan Singh, Advocate
For the Respondent/s	:	Mr.Binay Krishna, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 05-03-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 29.9.2018 passed by Additional Sessions Judge-I, Saran, in A.B.P. No.3207 of 2018 by which learned Sessions Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Jalalpur P.S.Case No. 97 of 2018, registered under Sections 341, 323, 324, 504, 506, 34 of the Indian Penal Code and Sections 3(i)(r), 3(ii) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellants is that they surrounded the informant in the orchard and abused him by caste name and there is also allegation of assaulting him by knife.

Submission of learned counsel for the appellants is that there is case and counter case between the parties and though there is allegation of assault by knife but injuries are simple in nature, which will appear from



Annexure-3 to the petition and allegation of abuse by caste name is ornamental in nature.

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, Saran, Chapra, in connection with Jalalpur P.S. case No. 97 of 2018, 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 29.9.2018 is set aside.

(Vinod Kumar Sinha, J)

spal/-

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CAV DATE	
Uploading Date	
Transmission Date	

