

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3308 of 2019

Arising Out of PS. Case No.-153 Year-2019 Thana- DAUDNAGAR District- Aurangabad

1. BIRENDRA KUMAR Son of Sakhu Yadav R/o Mohalla- Tarar, P.S.- Daudnagar, District - Aurangabad
2. Udal Kumar Son of Gohman Yadav R/o Mohalla- Tarar, P.S.- Daudnagar, District - Aurangabad

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ashok Kumar Singh

For the Respondent/s : None

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 16-11-2019 Learned counsel for the appellants is permitted to make necessary correction in the petition in the course of the day.

Appellants seek pre-arrest bail in connection with Daudnagar P.S.Case No. 153 of 2019 registered for the offences punishable under Sections 341, 323, 307, 504, 506, 34 of the Indian Penal Code and Section 3 (i)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

As per FIR accused persons, including the appellants came at the house of the informant and started misbehaving with the members of Barat party and members of informant's family and on protest they started assaulting and abusing the informant



by taking his caste name. It is also alleged that one Ranjit Kumar sustained injury on his head.

Submission of learned counsel for the appellants is that four persons are named in the FIR and no specific allegation has been attributed against the appellants of abusing the informant by taking caste name and moreover the injury is simple in nature.

None appears on behalf of State.

Having heard learned counsel for the appellants and perused the case diary and in the facts and circumstances, as stated above, let appellants, named above, surrender in the court below within a period of three weeks from the receipt of this order and on surrender they shall be released on bail 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, Aurangabad, in connection with Daudnagar P. S. Case No. 153 of 2019, 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.



Accordingly, this appeal is allowed and the impugned
order dated 3.7.2019 is set aside.

(Vinod Kumar Sinha, J)

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