

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No 3441 of 2019

Arising Out of PS. Case No.-33 Year-2017 Thana- KALER District- Jehanabad

1. PARSHURAM BHAGAT, aged about 62 years (M), Son of late Rojhan Bhagat, Resident of Village - Ardali Bigha, Akalu Chauki, P.S.- Kaler, Distt - Arwal.
2. Dharmendra Bhagat, aged about 27 years (M), Son of Parshuram Bhagat Resident of Village - Ardali Bigha, Akalu Chauki, P.S.- Kaler, Distt - Arwal.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Paras Nath
For the Respondent/s	:	Mr.Binay Krishna

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 16-11-2019

Heard learned counsel for the appellants and the learned APP for the State.

Appellants apprehend arrest in a case registered under Sections 323, 341, 307/34 of Indian Penal Code and Sections 3 (1) (r) (s) of Scheduled Castes and Schedule Tribes (Prevention of Atrocities) Act, 2016 (for brevity, SC/ST Act).

It is submitted by the appellants' counsel that from perusal of the allegations made in the first information report, it is quite apparent that there is no allegation that the appellants have abused the informant by caste name within the gaze of public



view. As such, it is submitted that the offences under SC/ST Act are not made out.

Learned APP for the State, however, opposed the prayer for bail.

Considering the rival submissions and on going through the allegations made in the first information, this Court, for the purposes of bail, is inclined to accept submission of the learned counsel for the appellants.

Let the appellants above named, in the event of their arrest or surrender before the Court below within four weeks from today, be released on bail on each of them furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I -cum- Special Judge, SC/ST Act, Jehanabad in Kaler Police Station Case No 33 of 2017 subject to the conditions as laid down in Section 438 (2) of Criminal Procedure Code and also the following conditions:

(1) That one of the bailors will be a close relative of the appellants who will give an affidavit giving genealogy as to how he is related with the appellants. The bailors will also undertake to inform the Court if there is any change in the address of the appellants.



(2) That the appellants will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.11.2019
Transmission Date	NA

