

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3580 of 2018

Arising Out of PS. Case No.-216 Year-2017 Thana- CHAPRA TOWN District- Saran

1. Pankaj Kumar Singh @ Pankaj Singh,
2. Dhiraj Kumar Singh @ Dhiraj Singh,
3. Niraj Kumar Singh @ Niraj Singh,
4. Sonu Singh @ Rajiv Kumar Singh All Sons of Ajay Singh @ Ajay Kumar Singh, R/o Vill.- Municipality Chowk, Srinandan Path, P.S.- Chapra Town, District- Saran at Chapra.

... .. Appellants

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Anurag Saurav
For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 03-01-2019 Appellants seek pre-arrest bail in connection with Chapra Town P.S.Case No. 216 of 2017 registered for the offences punishable under Sections 341, 323, 504, 506/34 of the Indian Penal Code and Section 3(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the accused persons, including the appellants is that they came over the land of the informant and demanded extortion of Rs.50,000/- from him and assaulted the informant also by khanti and also abused him by taking his caste name.

Submission of learned counsel for the appellants is that there is land dispute between the parties and earlier Section 144 Cr.P.C. proceeding was initiated at the instance of father of appellant and injuries are simple in nature. Further so far allegation of abuse by taking caste name is concerned, the same 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 appellants.

Having heard both sides and in the facts and circumstances, as stated above, let appellants, named above, surrender in the court below within a period of six 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 (ST/ST Act), Saran at Chapra in connection with Chapra Town P.S. Case No. 216 of 2017, 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 21.7.2018 is set aside.

(Vinod Kumar Sinha, J)

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