

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2932 of 2018

Arising Out of PS. Case No.-57 Year-2018 Thana- KALYANPUR District- East Champaran

1. Indal Prasad S/o late Shivjee Prasad
2. Jai Prakash Prasad S/o late Shivjee Prasad
3. Satyadeo Prasad@ Ankesh Kumar S/o Kishun Prasad
4. Priyaranjan Prasad S/o Indal Prasad All Residents of Village- Barharwa Mahanand, P.S.- Kalyanpur, District- East Champaran, Motihari.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ravi Shanker Dwivedi, Adv.
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 08-01-2019 In this case, appeal for anticipatory bail of appellant Braj Kishore Prasad Sharma has already been dismissed as withdrawn on 05.10.2018.

Submission of learned counsel for the appellants is that appellant no.1 Indal Prasad has already been arrested.

In view of the above, this appeal for anticipatory bail to appellant no.1 Indal Prasad is dismissed as withdrawn as become infructuous.

The appellant nos. 2 to 4 seek pre-arrest bail in connection with Kalyanpur P.S. Case No. 57 of 2018, registered for offences punishable under Sections 341, 323, 307, 504/34 of the Indian Penal Code and Section 3 (1) (r) (s) of SC/ST (POA)



Act.

Allegation as per F.I.R. against the appellant nos.2 to 4 is that they came over the land of the informant, abused him by taking caste name and also assaulted him by various arms.

Submission of learned counsel for the appellants is that no specific allegation has been attributed against the appellant nos. 2 to 4 and also there is case and counter case between the parties.

Heard learned Special P.P. as well as learned counsel for the informant.

Having heard both sides, considering the facts and circumstances of the case as stated above, let appellant nos.2 to 4 namely Jai Prakash Prasad, Satyadeo Prasad and Priyaranjan Prasad, be surrendered within a period of six weeks and on surrender they will release on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge-cum-Special Judge SC/ST Act, East Champaran, Motihari, in connection with Kalyanpur P.S. Case No. 57 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

Accordingly, this appeal is allowed and the impugned



order is set-aside with respect to appellant nos.2 to 4 namely Jai
Prakash Prasad, Satyadeo Prasad and Priyaranjan Prasad.

(Vinod Kumar Sinha, J)

Amjad/-

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