

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4702 of 2018

Arising Out of PS. Case No.-112 Year-2018 Thana- SHEIKHOPUR SARAI District-
Sheikhpura

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1. Raushan Kumar, S/o Sharda Singh,
 2. Karu @ Anil Singh, S/o Sharda Singh,
 3. Pappu Singh @ Bipin Singh, S/o Sharda Singh,
 4. Vikash Kumar, S/o Ramratan Singh,
 5. Ram Singh @ Ramesh Kumar Singh, S/o Ramratan Singh,
 6. Kanhaiya Kr. @ Kumar, S/o Dharam Veer Singh, All R/o Vill. Kshema, P.S.-
Shekhopur Sarai, District- Sheikhpura.

... .. Appellants

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Bipin Kumar, Advocate
For the Respondent/s : Mr.Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 24-01-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 27.11.2018 passed by Additional District and Sessions Judge-I, Sheikhpura, in ABP No. 680 of 2018 by which learned Sessions Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Shekhopur Sarai P.S.Case No. 112 of 2018 registered under Sections 147, 148, 149, 341, 323, 504, 506, 379, 307 of the Indian Penal Code and Sections 3(ii)(va), 3(r)(s)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against appellant No.1 is of abusing the informant by taking his caste name and also snatching money from him and allegation against other appellants is of assault.



Submission of learned counsel for the appellants is that there is case and counter case and no specific allegation has been attributed against the appellants except appellant No.1.

Heard learned Special P.P.

Having heard both sides and in the facts and circumstances, as stated above, let appellants No. 2 to 6, 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 District & Sessions Judge-I, Sheikhpura, in connection with Shekhopur Sarai P.S.Case No. 112 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.

So far appellant No.1 is concerned, in the facts and circumstances, let him surrender and make prayer for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

Accordingly, the appeal with respect to appellant Nos. 2 to 6 is allowed and the impugned order dated 27.8.2018 is set aside with respect to appellant Nos. 2 to 6 are concerned.

(Vinod Kumar Sinha, J)

spal/-

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CAV DATE	
Uploading Date	
Transmission Date	

