

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4735 of 2018

Arising Out of PS. Case No.-531 Year-2016 Thana- BETTIAH CITY District- West
Champaran

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Milan Ray, son of Om Prakash Ray, Resident of village - Panday Tola, P.S.
Bettiah Muffasil, Distt. - West Champaran.

... .. Appellant

Versus

The State Of Bihar

... .. Respondent

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Appearance :

For the Appellant/s : Mr.Sanjeev Kumar, Advocate
For the Respondent/s : Smt Usha Kumari No-1, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 04-02-2019

This appeal is for grant of pre-arrest bail to the appellant against the order dated 9.10.2018 passed by Additional District and Sessions Judge-I-cum-Special Judge, West Champaran, Bettiah, in A.B.P. No.2138 of 2018 by which learned Special Judge has rejected prayer for pre-arrest bail of the appellant, who has been made accused in Bettiah Town P.S.Case No. 531 of 2016, registered under Sections 406, 341, 323, 379, 504, 34 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant, who was an employee of Hinduja Finance Ltd., is that when informant did not pay back the loan amount taken for purchase of bus, he long with other employees abused him by taking caste name.

Submission of learned counsel for the appellant is that no specific allegation has been attributed against him and co-accused persons have been



granted privilege of anticipatory bail by co-ordinate Bench of this Court vide order dated 12.2.2018 passed in Cr.Appeal(SJ) No. 3145 of 2017.

Heard learned Special P.P.

Having heard both sides and in the facts and circumstances, let the appellant, named above, be released on bail, in the event of arrest or surrender, on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge-I-cum-Special Judge, West Champaran, Bettiah, in connection with Bettiah Town P.S. case No. 531 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C. and one of the bailors of the appellant shall be a local person, having sufficient immoveable properties within the jurisdiction of court concerned.

Accordingly, the appeal is allowed and the impugned order dated 9.10.2018 is set aside.

(Vinod Kumar Sinha, J)

spal/-

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Uploading Date	
Transmission Date	

