

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4789 of 2018

Arising Out of PS. Case No.-633 Year-2018 Thana- SHEKHPURA District- Sheikhpura

Kundan Bind @ Kundan Kumar, Son of Bannu Bind @ Bonu Bind @ Ajay Bind, Resident of Village - Kare, P.S.- Sheikhpura, District- Sheikhpura

... .. Appellant

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Syed. Rizwanul Haque, Advocate
For the Respondent/s : Smt Usha Kumari No-1, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 05-02-2019

This appeal is for grant of pre-arrest bail to the appellant against the order dated 17.11.2018 passed by Additional District and Sessions Judge-I, Sheikhpura, in A.B.P. No.660 of 2018 by which learned Sessions Judge has rejected prayer for pre-arrest bail of the appellant, who has been made accused in Sheikhpura P.S.Case No. 633 of 2018, arising out of SC/ST Case No. 126 of 2018, registered under Sections 341, 323, 324, 307/34 of the Indian Penal Code and Sections 3(ii)(va) & 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is that while son of the informant was cutting crops he assaulted him.

Submission of learned counsel for the appellant is that FIR itself shows that informant's side was aggressor and injury is simple in nature, which will appear from Annexure-3 series.

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, Sheikhpura, in connection with Sheikhpura P.S. No. 633 of 2018, arising out of SC/ST Case No. 126 of 2018, 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 17.11.2018 is set aside.

(Vinod Kumar Sinha, J)

spal/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

