

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3863 of 2018

Arising Out of PS. Case No.-217 Year-2018 Thana- ALOULI District- Khagaria

1. Sunita Devi Wife of Nand Kishore Poddar
2. Ajay Poddar @ Ajay Kr. Poddar, son of Nand Kishore Poddar, Both Resident of Village- Sumbha, P.S. Allouli, District- Khagaria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Bharat Bhushan
For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-01-2019 Heard the parties.

The appellants are apprehending their arrest in connection with Allouli P.S.Case no.217 of 2018 dated 77.2018 arising out of g.R.No.1859 of 2018 , registered for offences punishable under Sections 147, 148, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code and Section 3(i)(r)(s) of S.C./S.T. (Prevention of Atrocities) Act.

Allegation against the appellants and other accused persons is that they came variously arms and looted away the articles and also abused the informant by taking caste name.

Submission of the learned counsel for the appellant is that no specific allegation has been attributed against any of the



accused persons and moreover seven months earlier to lodging of this case a case had been lodged by the appellant no.1 against the informant and others and thereafter Allouli P.S.Case no.216 of 2018 had been lodged against the informant and others and to save their skin, the present Allouli P.S.Case nO.217 of 2018 has been lodged.

Heard learned A.P.P. also, who has opposed the prayer for bail on the ground that the opinion about some of the injuries are reserved.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellant s, above named, surrender before the court below within a period of six weeks from the date of order and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge-cum-Special Judge, Khagaria in connection with Allouli P.S.Case No.217 of 2018 arising out of G.R.No.1859 of 2018, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition to co-operate in the investigation.

Accordingly, this appeal is allowed and the impugned



order dated 12.9.2018 is set aside.

(Vinod Kumar Sinha, J)

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