

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3868 of 2018

Arising Out of PS. Case No.-173 Year-2014 Thana- MINAPUR District- Muzaffarpur

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1. Vishwa Nath Rai S/o Late Baldeo Rai,
 2. Ramesh Rai, S/o Vishwa Nath Rai,
 3. Naresh Rai, S/o Vishwa Nath Rai, All Resident of Village- Ali Neura, P.S. Minapur, District- Muzaffarpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Alok Kumar Alok
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 07-01-2019 Heard the parties.

The appellants are apprehending their arrest in connection with Minapur P.S.Case No.173 of 2014 , registered for offences punishable under Sections 417, 307/34 of the Indian Penal Code and Section 3(i)(x) of S.C./S.T. Prevention of Atrocities Act.

Allegation against the appellants is that they have assaulted the son of the informant brutally and also abused by taking caste name.

Submission of the learned counsel for the appellants is that as a matter of fact the son of the informant was playing in the dance party but the dispute arose with respect the payment of the wages and due to that this false and concocted case has



been lodged and after two months of the occurrence after investigation the police has submitted the final form form but not finding the case true and the cognizance has been taken against the petitioner.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellants , 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 Spl. Judge, SC/ST Act, Muzaffarpur in connection with Minapur P.S.Case No.173 of 2014 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

Accordingly, this appeal is allowed and the impugned order dated 21.8.2018 is set aside.

(Vinod Kumar Sinha, J)

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