

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.48 of 2019

Arising Out of PS. Case No.-194 Year-2018 Thana- AMAS District- Gaya

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1. Kamlesh Yadav son of late Mutur Yadav
2. Manju Devi wife of Kamlesh Yadav
3. Champa Devi wife of Late Mutur Yadav
All residents of village- Samser Khap, P.S- Amas, District- Gaya
- Appellant/s
- Versus
- The State of Bihar
- Respondent/s
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Appearance :

For the Appellant/s : Mr. Deepak Kumar, Adv.
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT
Date : 26-02-2019

Re: Interlocutory Application No. 01/2019

This appeal has been filed under Section 5 of the Limitation Act for condoning the delay of 7 days in filing the memo of appeal.

Considering the averments made in the application and submission of learned counsel for the appellants, the delay in filing the memo of appeal is hereby condoned.

Accordingly, this Interlocutory Application No.01/2019 is allowed.

Criminal Appeal (SJ) No.48 of 2019

The appellants seek pre-arrest bail in connection with Amas P.S. Case No. 194 of 2018, registered for offences punishable under Sections 341, 323, 447, 504, 308, 506/34 of the Indian Penal Code and Section 3(r)(s)(i) of SC/ST Act.

Allegation against the appellants is that due to non supply of



toddy, they have assaulted the informant and others and there is specific allegation against appellant no.1 is that he assaulted the informant by *khanti* on his head.

Submission of learned counsel for the appellants is that the field of the appellants is situated near the house of the informant and he used to graze the crops by cattle, due to which there were some altercations took place and for that the present false and concocted case has been lodged against the appellants.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case as stated above, let appellants, above named, be surrendered within a period of six weeks and on surrender they will release on bail on furnishing bail bonds of Rs. 25,000/- (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Gaya, in connection with Amas P.S. Case No. 194 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

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

(Vinod Kumar Sinha, J)

Amjad/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

