

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4622 of 2018

Arising Out of PS. Case No.-121 Year-2018 Thana- BALRAMPUR District- Katihar

TAHZIB @ PISAWA, Son of Warish, Resident of Village-Ajharail, Police Station-Balrampur Telata, District-Katihar.

... .. Appellant

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Arvind Kumar Pandey, Advocate
For the Respondent/s : Mr.Binay Krishna, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 01-02-2019

This appeal is for grant of pre-arrest bail to the appellant against the order dated 6.10.2018 passed by Additional Sessions Judge-I-cum-Special Judge, Katihar, in A.B.P. No.85 of 2018 by which learned Special Judge has rejected prayer for pre-arrest bail of the appellant, who has been made accused in Balrampur (Telata) P.S.Case No. 121 of 2018, registered under Sections 147, 341, 323, 379, 504. 506 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the accused persons, including the appellant is of assaulting the informant and abusing him by taking his caste name and also snatching Rs.5000/- from his pocket.

Submission of learned counsel for the appellant is that there is general and omnibus allegation against all the accused persons and no specific allegation has been attributed against him and allegation of snatching money is ornamental in nature.

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 Sessions Judge-I-cum-Special Judge, Katihar, in connection with Balrampur (Telta) P.S.Case No. 121 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 6.10.2018 is set aside.

(Vinod Kumar Sinha, J)

spal/-

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CAV DATE	
Uploading Date	
Transmission Date	

