

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3592 of 2018

Arising Out of PS. Case No.-106 Year-2018 Thana- KOPA District- Saran

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1. Rajiv Kumar Rai son of Rajendra Rai
 2. Sunil Rai @ Sunil Kumar Rai son of Late Suresh Rai
 3. Mithlesh Rai @ Mithlesh Kr. Rai son of Jagannath Rai
 4. Tinku Rai @ Tinku Kr. Rai son of Laxaman Rai
 5. Anand Rai @ Anand Kr. Rai son of Baban Rai
 6. Vikash Rai son of Chandrama Rai
 7. Mitendra Rai @ Mitendra Kr. Rai son of Krishna Rai All resident of Village-
Rewari, P.S.- Kopa, District- Saran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar Singh, Adv.
For the Respondent/s : Smt Usha Kumari No-1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 08-01-2019 The appellants seek pre-arrest bail in connection with

Kopa P.S. Case No. 106 of 2018, registered for offences
punishable under Sections 341, 323, 324, 307, 379, 504, 506,
120(B)/34 of the Indian Penal Code and Section 3(i)(r), 3(2)(va)
of SC/ST (POA) Act.

Allegation as per F.I.R. against the appellants is that
they call the informant on false pretext of getting job and
abusing him by taking caste name and the specific allegation of
assault with farsa to the informant is against appellant no.1.

Submission of learned counsel for the appellants is
that as a matter of fact that sister of appellant no.1 had earlier



lodged a case under Sections 341, 354 (B), 504/34 of the IPC against the uncle of the informant and one other person and to save their skin, the present case has been lodged against the appellants. Further, no specific allegation of abusing by taking caste name and so far injuries are concerned, it is simple in nature.

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 1st Additional Sessions Judge cum Special Judge SC/ST (Prevention of Atrocities) Act, Saran at Chapra in connection with Kopa P.S. Case No. 106 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/-

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