

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3937 of 2018

Arising Out of PS. Case No.-192 Year-2018 Thana- EKMA District- Saran

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1. Binda Singh Son of Late Sheopujan Singh,
 2. Krishna Singh, Son of Late Ramdas Singh
 3. Shambhu Singh, Son of Late Vishwanath Singh, All are Resident of Village-
Mathanpura, Police Station- Ekma, District- Saran at Chapra.

... .. Appellants

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Ram Binod Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-01-2019 Appellants seek pre-arrest bail in connection with Ekma P.S.Case No. 192 of 2018 registered for the offences punishable under Sections 341, 323, 354/34 of the Indian Penal Code and Sections 3(ii)(a) and 3(1)(xx) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellants is that they came to the house of the informant and abused him by taking his caste name and also torn sari, blouse of daughter-in-law of the informant.

Submission of learned counsel for the appellants is that there is delay of one month in lodging the complaint petition, which was later on sent for registration of the case and furthermore the allegation of abuse by taking caste name is not in public view, rather inside the house and there is no injury on the person of informant.

Heard learned Special P.P., who has opposed the prayer for pre-arrest bail of the appellants.



Having heard both sides and in the facts and circumstances, let appellants, above named, surrender within a period of six weeks from the receipt of this order and on surrender they shall be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I, Saran at Chapra, in connection with Ekma P.S.Case No. 192 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition that one of the bailors of the appellants shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned and further condition is that appellants have to co-operate in investigation, otherwise their bail bonds shall be cancelled.

Accordingly, this appeal is allowed and the impugned order dated 10.9.2018 is set aside.

(Vinod Kumar Sinha, J)

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