

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3034 of 2018

Arising Out of PS. Case No.-64 Year-2017 Thana- JAMALPUR District- Darbhanga

Shambhu Purvey, Son of Duha Purvey, resident of Village- Bargaon, P.S.
Jamalpur (Bargaon O.P.), District- Darbhanga.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Shambhu Nath Jha
For the Respondent/s : Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 07-01-2019 Heard the parties.

The appellant seeks pre-arrest bail in Jamalpur (Bargaon O.P.) P.S. Case No.64/17 registered for the offences under Sections 341, 323, 354(A), 379, 504, 506/34 of the I.P.C. and Section 3 (I) (R) (s) of S.C./S.T. (Prevention of Atrocities) Act.

Allegation as per the F.I.R. against the appellant as well as other accused persons is that they thrashed the informant on the ground and tried to pull her saree and blouse and also assaulted her with lathi and danda.

Submission of the learned counsel for the appellant is that the F.I.R. itself shows that the informant was cutting grass in the field of the appellant and further submission is that there is nothing to attract the provision of S.C./S.T. Act for abusing



her by calling caste name.

Heard learned Special P.P. also.

Having heard both sides and in view of the facts and circumstances of the case, let the appellant, above named, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T.) Act, Darbhanga, in Jamalpur (Bargaon O.P.) P.S.Case No.64/17 subject to the conditions as laid down under Section 438(2) of Cr.P.C. and other condition that they will cooperate in the investigation.

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

(Vinod Kumar Sinha, J)

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