

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4778 of 2019

Arising Out of PS. Case No.-299 Year-2019 Thana- CHAINPUR District- Kaimur (Bhabua)

1. Shree Ram Bind, Son of Late Gudri Bind Resident of Village- Ujari Darwa, P.S.- Chainpur, District- Kaimur at Bhabua.
2. Hira Bind Son of Late Gudri Bind Resident of Village- Ujari Darwa, P.S.- Chainpur, District- Kaimur at Bhabua.
3. Sabuj Bind Son of Late Harbanshu Bind Resident of Village- Ujari Darwa, P.S.- Chainpur, District- Kaimur at Bhabua.
4. Sugriv Bind Son of Late Harbanshu Bind Resident of Village- Ujari Darwa, P.S.- Chainpur, District- Kaimur at Bhabua.
5. Ashok Kumar Bind Son of Raphal Bind Resident of Village- Ujari Darwa, P.S.- Chainpur, District- Kaimur at Bhabua.
6. Rinku Prasad Son of Mohan Bind Resident of Village- Ujari Darwa, P.S.- Chainpur, District- Kaimur at Bhabua.
7. Yogendra Prasad @ Yogindra Prasad Son of Sabuj Bind Resident of Village- Ujari Darwa, P.S.- Chainpur, District- Kaimur at Bhabua.
8. Bablu Bind Son of Shree Ram Bind Resident of Village- Ujari Darwa, P.S.- Chainpur, District- Kaimur at Bhabua.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Praveen Kumar
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-12-2019 Heard learned counsel for the appellants and the learned
counsel appearing on behalf of the State.

This appeal is directed against the order dated 06.09.019
passed in A.B.P. No.868/2019 arising out of Chainpur P. S. Case
No.299 of 2019 whereby and whereunder learned Additional
Sessions Judge-1st-cum-Special Judge SC/ST, Kaimur at Bhabua
has rejected the anticipatory bail filed by the appellants for the



offences punishable under Sections 147, 148, 149, 341, 323, 504 and 307 of the Indian Penal Code and Section 27 of the Arms Act along with Section 3(i)((R)(S)(w)/ 3(2)(RA) of SC/ST Act.

As per the F.I.R., the allegation against the appellants is that they were making abusive language, which was protested by the informant, on which appellant no.1 assaulted by knife causing injury on his head. There is allegation of firing against the appellants.

Submission of the appellants is that F.I.R. itself discloses that the appellants were making abusive language in his house. There is nothing to show that abuse was made in presence of the public and moreover, the injuries are not found grievous, which are simple in nature. There is also case and counter-case in between the parties.

Considering the aforementioned facts and circumstances, let the appellants, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-1st-cum-Special Judge, Kaimur at Bhabua in connection with Chainpur P. S. Case No.299 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



In the result, the appeal is allowed and the impugned order dated 06.09.2019 is set aside.

(Vinod Kumar Sinha, J)

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