

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4703 of 2018

Arising Out of PS. Case No.-50 Year-2018 Thana- SC/ST District- Bhabhua (Kaimur)

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1. Birendra Kumar Singh @ Birendra Singh, Son Jagardeo Singh,
 2. Dhirenda Kumar Singh @ Dhirendra Singh, S/o Jagardeo Singh, Both R/o vill.- Bharigawa , P.O.- Bare, P.S.- Bhabhua, District- Kaimur.

... .. Appellants

Versus

1. State Of Bihar
2. Amit Kumar, S/o Satya Narayan Ram, R/o Vill.- Bharigawa, P.O.- Bare, P.S.- Bhabhua, District- Kaimur.

... .. Respondents

Appearance :

For the Appellant/s : Mr.Sumeet Kumar Singh, Advocate
For the Respondent/s : Smt Usha Kumari No-1, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 22-02-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 29.10.2018 passed by Additional Sessions Judge-I, Kaimur at Bhabua, in A.B.P. No. 1355 of 2018 filed by the appellants by which learned Sessions Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Bhabhua SC/ST P.S.Case No. 50 of 2018, registered under Sections 341, 323, 504, 506, 406, 420/34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

At the very outset, learned counsel for the appellants has submitted that appellants were on police bail and they have not misused the same.

Heard learned Special P.P. and learned counsel for the informant. They have opposed the prayer for anticipatory bail on the ground that appellants have taken Rs.7 lakh as consideration money and has not executed



sale deed and has not returned the money, rather they have abused the informant by caste name.

Having heard both sides and in the facts and circumstances, this appeal is disposed of with a direction to the appellants to surrender and make prayer for regular bail, which shall be considered on the basis of materials available on the record as well as the fact that appellants were on police bail and they have not misused the same and, if possible, to be disposed of on the same day.

(Vinod Kumar Sinha, J)

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CAV DATE	
Uploading Date	
Transmission Date	

