

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.147 of 2019**

Arising Out of PS. Case No.-98 Year-2018 Thana- PATORI District- Samastipur

1. Bindeshwar Singh S/o Late Surat Singh
2. Bablu Kumar @ Jitendra Kumar Singh @ Bablu Singh S/o Bindeshwar Singh.
Both residents of Village- Hasanpur Surat, P.S. - Patory, District – Samastipur.

... .. Appellants

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar

For the Respondent/s : Mr.Sri Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT**

Date : 26-02-2019

The appellants seek pre arrest bail in connection with Patory P.S. Case No. 98/2018, registered for offences punishable under Sections 379, 406, 420, 504 and 34 of the Indian Penal Code and Section 3 (i)(r)(s)(x) of SC/ST (POA) Act.

Appellants happen to be husband and son of co-accused Tara Devi against whom, there is allegation that on her persuasion, the informant deposited an amount of Rs. 50,000/- and recurring deposit of Rs. 750 from 2012 to 2016 in Bartaman Infra Projects India Limited (Financial Company), however on maturity no amount was paid to the informant.

It has been submitted on behalf of the appellants is that they are no way concerned with the transactions between the informant and said company and they have falsely been made



accused in this case only because they happen to be husband and son of co-accused Tara Devi and except that there is nothing against the appellants and further the co-accused Tara Devi has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide Judgment dated 04.12.2018 passed in Criminal Appeal (SJ) No. 3969 of 2018.

Heard learned Special P.P. also.

Having heard both sides, in view of the above facts, let the appellants, above named, in the event of their arrest or surrender before the Court below, be released 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, Samastipur in connection with Patory P.S. Case No. 98/2018, subject to the conditions laid down under Sectin 438 (2) of Cr.P.C.

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

(Vinod Kumar Sinha, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

