

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5517 of 2019

Arising Out of PS. Case No.-45 Year-2019 Thana- SC/ST District- Aurangabad

ARVIND SINGH Son of Late Mukhdeo Singh Resident of Village - Ganghar,
P.S.- Mali, District- Aurangabad, At present Resident of Near Mission School,
Aurangabad, P.S.- Town, District- Aurangabad

... .. Appellant/s

Versus

1. The State of Bihar
2. Upendra Ram Son of Basudeo Ram Resident of Village - Ganghar, P.S.-
Mali, District- Aurangabad

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar
For the Respondent/s : Ms.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-12-2019 Appellant seeks pre-arrest bail in connection with

SC/ST P.S.Case No. 45 of 2019 registered for the offences
punishable under Sections 341, 323, 379, 504, 506 of the Indian
Penal Code and Sections 3 (i)(r)(s), 3(ii)(v) of Scheduled Castes
and Scheduled Tribes (Prevention of Atrocities) Act.

Prosecution case is that appellant abused the
informant by taking caste name and also threatened to kill him
and taken away Rs.5000/- from his pocket.

Submission of learned counsel for the appellant is that
as a matter of fact a title suit is pending between the parties and
there is land dispute and there is no allegation in the FIR that
appellant abused the informant in public view.



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

Having heard both sides and in the facts and circumstances, as stated above, let appellant, named above, surrender in the court below within a period of six weeks from the receipt of this order and on surrender he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I-cum-Special Judge (ST/ST Act), Aurangabad, in connection with SC/ST P.S. Case No. 45 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions are that one of the bailors of the appellant shall be a local person having sufficient immovable properties within the jurisdiction of court concerned.

Accordingly, this appeal is allowed and the impugned order dated 16.11.2019 is set aside.

(Vinod Kumar Sinha, J)

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