

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4803 of 2018

Arising Out of PS. Case No.-60 Year-2018 Thana- DAWATH District- Rohtas

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Mangani Rai @ Mangani Ram @ Nagendra Rai @ Nagendra Ram, Son of
Late Sudama Rai, Resident of village- Dharkandha, Police Station- Dawath,
District- Rohtas at Sasaram.

... .. Appellant

Versus

The State Of Bihar

... .. Respondent

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Appearance :

For the Appellant/s : Mr.Ramchandra Singh, Advocate

For the Respondent/s : Smt Usha Kumari No-1, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 05-02-2019

This appeal is for grant of pre-arrest bail to the appellant against the order dated 24.9.2018 passed by Additional Sessions Judge-I-cum-Special Judge, SC/ST Act, Rohtas at Sasaram, in A.B.P. filed by the appellant, by which learned Sessions Judge has rejected prayer for pre-arrest bail of the appellant, who has been made accused in Registered Case No. 158 of 2018, arising out of Dawath P.S.Case No. 60 of 2018, registered under Sections 341, 323 of the Indian Penal Code and Section 3(i)(r)(s)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation as per FIR is that scuffle took place between the parties with respect to passing of drainage water and appellant has assaulted the informant by fists and slaps and by butt portion of pistol.

Submission of learned counsel for the appellant is that injuries are simple in nature and occurrence took place with respect to passing of drainage water.

Heard learned Special P.P.



Having heard both sides and in the facts and circumstances, let the appellant, named above, be released on bail, in the event of arrest or surrender, 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, SC/ST Act, Rohtas at Sasaram, in connection with Registered Case No. 158 of 2018, arising out of Dawath P.S. case No. 60 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C. and one of the bailors of the appellant shall be a local person, having sufficient immoveable properties within the jurisdiction of court concerned.

Accordingly, the appeal is allowed and the impugned order dated 24.9.2018 is set aside.

(Vinod Kumar Sinha, J)

spal/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

