

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.839 of 2016

Arising Out of PS.Case No. -291 Year- 2015 Thana -HISUA District- NAWADA

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1. Munna Shaw @ Munna Saw, son of Kishori Saw
 2. Santosh Saw, son of Munni Saw, both are residents of village-Pakaria,
P.S.-Hisua, District-Nawada

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar Pandey No-5, Advocate

For the Respondent/s : Mr. Sri Sadanand Paswan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

- 3 05-12-2016 The appellants are in custody since 23.07.2016. They are accused in Hisua P.S. Case No. 291 of 2015 registered for the offence punishable under Sections 147, 149, 323, 341, 504, 506 and 302 of the Indian Penal Code read with Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989. They have preferred this appeal under Section 14A (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities), Act, 1989 being aggrieved by an order dated 14.09.2016 passed in B.P No. 730 of 2016/33 of 2016 by learned Additional Sessions Judge-1, Nawada whereby he has refused to grant the appellants, regular bail.

Learned counsel appearing on behalf of the appellants has submitted that allegation which has been made against the



appellants is identical with the allegations made against co-accused Ravindra Kumar and Uttam Kumar. It is his case that the said two accused persons have been granted regular bail by this Court vide order dated 19.05.2016 and 23.08.2016 passed in Criminal Miscellaneous No. 20108 of 2016 and Criminal Miscellaneous No. 24771 of 2016.

I find substance in submission made on behalf of the appellants on going through the contents of the First Information Report.

Considering the above submission, I am satisfied that the order passed by learned court below refusing to grant the appellants regular bail, requires interference. The said order dated 14.09.2016 passed by learned Additional Sessions Judge-1, Nawada is, hereby, set aside.

Let the appellants, above-named are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Hisua P.S. Case No. 291 of 2015 (G.R. No. 3503/2015)

This is subject to the condition that the appellants shall present themselves before the police/Court, as the case may be, as



and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Vats/-

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