**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**Criminal Appeal (SJ) No.390 of 2017**

Arising Out of PS.Case No. -38 Year- 2016 Thana -BAGHAILA District- SASARAM (ROHTAS)

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1. Sonu Singh, S/o Ambika Chaudhary, Resident of Village- Chanki, P.S.- Baghaila, District- Rohtas.

.... .... Appellant/s

Versus

1. The State of Bihar

.... .... Respondent/s

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**Appearance :**
For the Appellant/s : Mr.
For the Respondent/s : Mr.

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

5 22-06-2017 The appellant seeks regular bail in connection with Baghaila P.S. Case No.38 of 2016 registered for the offences punishable under Sections 341, 323 and 302/34 of the Indian Penal Code and Section 3(2) (v) of the SC/ST (Prevention of Atrocities) Act, 1989.

Allegation against the appellant and other accused persons is that they have assaulted Shankar Ram, the brother of the informant, by bamboo and rod.

It has been submitted on behalf of the appellant that no specific allegation has been attributed against the appellant and other co-accused persons and altogether three injuries were found on the person of the deceased, but there is only one injury at the head of the informant. It is also submitted that a report was called

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for in this case, but report does not show that evidence has commenced in this case and the appellant is in custody for more than nine months. It has further been submitted that other co-accused has already been granted bail by a co-ordinate Bench of this Court vide order dated 08.05.2017 passed in Criminal Appeal (SJ) No.1005 of 2016.

Heard learned Special P.P. also.

Having heard both sides, in view of the general and omnibus allegation of assault and other co-accused with similar allegation has already been granted bail, as such, this appeal is allowed, the impugned order is set aside, the appellant, above named, is directed to be released on bail on furnishing bail bonds of Rs.25,000 (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge – 1st, Rohtas (Sasaram), in connection with Baghaila P.S. Case No.38 of 2016, subject to the following conditions:-

(i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(ii) The appellant will not induce any witness or tamper with the evidence.

(ii) The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to

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appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

Arvind/- **(Vinod Kumar Sinha, J)**

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