

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1492 of 2017

Arising Out of PS.Case No. -8 Year- 2016 Thana -PAUTHU District- AURANGABAD

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1. Md. Ibrar Miyan Son of Hashamu Miyan, Resident of Village- Banahi,
Police Station- Pauthu, District- Aurangabad.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bimal Kumar

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 10-08-2017 This appeal is directed against the order dated 19.04.2017 passed by Special Judge, SC/ST-cum-Additional Sessions Judge-I, Aurangabad in Pauthu P.S. Case No. 8 of 2016 registered for offences punishable under Sections 3(1)(X), 3(i)(xi), 3(2)(v) of the SC/ST (Prevention of Atrocities) Act and sections 341, 354, 307, 504, 506/34 of the Indian Penal Code, whereby prayer for bail of the appellant has been rejected.

Allegation against the appellant is of firing on the informant which caused grievous injury to another girl aged about 12 years.

Submission of the learned counsel for the appellant is that no case under section 307 I.P.C. is made out against the appellant as he never attempted to cause injury to the girl and that



girl has also not come forward to depose or make any allegation against the appellant. Further, appellant is in custody since 15.02.2016 i.e. for about 18 months.

Heard learned A.P.P. also. He opposes the prayer for bail.

Having heard both sides and in view of the fact that appellant has remained in custody for about 18 months, let the appellant, above named, 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 Special Judge SC/ST-cum-Additional Sessions Judge I, Aurangabad in connection with Pauthu P.S. Case No. 8 of 2016 subject to the following condition that he will co-operate in the trial and will appear on each and every date fixed in the trial. In default, the Court below will take steps for cancellation of his bail bonds.

With the aforesaid observation, this appeal is allowed.

Manish/-

(Vinod Kumar Sinha, J)

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