

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1690 of 2017

Arising Out of PS.Case No. -42 Year- 2015 Thana -KHAJAUJI District- MADHUBANI

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Rabindra Kumar Singh @ Rabi Kumar Singh S/o Chandeshwar Singh @
Chandeshwar Pd. Singh, Resident of Village- Kasma Marat, P.S.- Khajauli,
District- Madhubani.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Ratanakar Jha

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 28-07-2017 Heard learned counsel for the appellant.

This appeal has been filed against the order dated 11.5.2017 passed by 1st Additional Sessions Judge, Madhubani, in B.P. No. 308 of 2017 arising out of Khajauli P.S.Case No. 42 of 2015 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 302 of the Indian Penal Code and 3(2)(v) of SC/ST Act and for grant of bail to the appellant.

Allegation against the appellant is that he along with other co-accused persons came and assaulted the husband of the informant causing injury on him.

It has been submitted on behalf of the appellant that there is no specific allegation against the appellant and similarly situated co-accused has been granted bail in Cr.Appeal No. 183 of 2017, vide order dated 3.4.2017 and appellant is in custody for six months.

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



Having heard both sides and considering the aforesaid facts and circumstances, the appeal is allowed and the impugned order is set aside. Let the appellant, named above, 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 the 1st Additional Sessions Judge, Madhubani, in connection with Khajauli P.S.case No. 42 of 2015, G.R.No. 1055 of 2015, subject to the conditions that :-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) 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 appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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