

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1785 of 2017

Arising Out of P.S.Case No. -199 Year- 2016 Thana -IMAMGANJ District- GAYA

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1. Sheo Kumar @ Shiv Kumar Prasad @ Upendra Prasad,
 2. Deo Kumar Prasad,
 3. Sikandar Prasad, All sons of Krishna Prasad, Resident of Village-Barahet, P.S.- Imamganj, District- Gaya. At present residing at Village-Raniganj, P.S.- Imamganj, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sudhir Kumar Sinha

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

- 2 01-07-2017 The appellants seek regular bail in connection with Imamganj P.S.Case No.199 of 2016, registered for offences punishable under Section 147, 148, 323, 420, 448, 379 & 504 of the Indian Penal Code and Section 3(1)(c) of SC/ST (Prevention of Atrocities) Act.

Submissions of the learned counsel for the appellants is that as a matter of fact they have purchased property and for that dispute arose, as such this appeal has been lodged making allegation under Section 3 of S.C./S.T. (Prevention of Atrocities) Act also but there is no specific allegation rather there is general allegation of assault and abusing by taking caste name and in a similar case, one co-accused has been granted bail by this Court



vide order dated 11.4.2017 passed in Cr. Appeal (S.J.) No.560 of 2017 and the case of the appellant is similar to that of the co-accused. The appellants are in custody since 3.5.2017.

Heard learned Special P.P. also.

Having heard both sides and in view of the above facts and circumstances, this appeal is allowed.

Let the appellants above named, be released on bail on furnishing bail bonds of Rs.25,000 (Rs. Twenty Five thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge SC/ST Act, Gaya in connection with SC/ST Trial No.60 of 2017 arising out of Imamganj P.S.Case No.199 of 2016, after setting aside order dated 24.5.2017 passed by the learned Special Judge SC/ST Act, Gaya in connection with SC/ST Trial No.60 of 2017 arising out of Imamganj P.S.Case No.199 of 2016, subject to the following conditions:-

- (i) One of the bailors of the appellants shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellants will not induce any witness or tamper with the evidence.
- (iii) The appellants shall cooperate in the disposal of trial and make themselves available as and when required by



the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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