

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1772 of 2017

Arising Out of PS.Case No. -55 Year- 2016 Thana -SC ST District- VAISHALI(HAJIPUR)

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1. Gagandeo Rai, Son of Late Chhatu Rai,
2. Harinandan Bhagat, Son of Late Ram Milan Bhagat, Both resident of
Village Bishunpur Arara, P.S.- Goraul, District- Vaishali.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ranjan Kumar Singh

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

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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

S.C./S.T. Hajipur P.S.Case No.55 of 2016, registered for offences

punishable under Section 147, 148, 149, 323, 325, 307, 427, 436,

427, 436, 379, 354, 504 & 504 of the Indian Penal Code and

Section 3(i)(r), 3(i)w, 3(2)(iii), 3(2)(iv), 3(2)(v)(a) of SC/ST

(Prevention of Atrocities) Act.

Submissions of the learned counsel for the appellants is

that there is general and omnibus allegation and though the case

has been lodged under Section 307 and 436 of the Indian Penal

Code as well as various Sections of the S.C./S.T.(Prevention of

Atrocities) Act but no charge-sheet has been submitted either

under Section 436 of 307 of the Indian Penal Code and there is no



specific allegation against the appellants.

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 (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, S.C./S.T. (POA) Act, Vaishali at Hajipur in connection with SC/ST Hajipur P.S.Case No.55 of 2016, after setting aside order dated 26.5.2017 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, S.C./S.T. (POA) Act, Vaishali at Hajipur in SC/ST Hajipur P.S.Case No.55 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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