

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.994 of 2017

Arising Out of PS.Case No. -189 Year- 2016 Thana -TARAIYA District- SARAN

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1. Raju Giri, Son of Shyam Narain Giri, Resident of Village- Dih Chapiya,
P.S.- Taraiyan, District- Saran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-06-2017 The appellant seeks regular bail in connection with

Tariaya P.S. Case No.189 of 2016 registered for the offences

punishable under Sections 302 and 201/34 of the Indian Penal

Code and Section 2(v) of the SC/ST (Prevention of Atrocities)

Act, 1989.

Petitioner is named in the FIR. Case is under Section

302 and other Sections of the IPC.

It has been submitted on behalf of the appellant that

the appellant has been named in the FIR along with other co-

accused only on the basis of suspicion and that too on the ground

that earlier to the present occurrence deceased has earlier disclosed

to the informant that the appellant and other accused persons have

assaulted him prior to the occurrence. However, no story of last



seen about any other circumstance has come against the appellant and the postmortem report also shows that deceased died due to drowning. No injury was found on the person of the deceased and he is in custody since 8.11.2016.

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

Having heard both sides, in view of the fact that except suspicion there is nothing against the appellant and he is in custody for about eight months, as such, this appeal is allowed, 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 Special Judge, SC/ST (POA) Act, Saran at Chapra, in connection with Tariaya P.S. Case No.189 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 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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