

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1584 of 2017

Arising Out of PS.Case No. -103 Year- 2016 Thana -RIVILGANJ District- SARAN

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1. Hariom Mahto@ Hariom Kushwaha, Son of Late Gowardhan Mahto,
resident of Village- Bahadpa, P.S.- Revilganj, District- Saran, Chapra.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Mukesh Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-07-2017 The appellant seeks regular bail in connection with Ravilganj P.S.Case No.103 of 2016 registered for offences punishable under Section 341, 323, 324, 307 & 504/34 of the Indian Penal Code and Section 3 (i)(x) of SC/ST (POA) Act.

Submissions of the learned counsel for the appellant is that the allegation against this appellant is about abusing by taking caste name and further allegation is that he assaulted by 'Tangi' on the head of the deceased and the Doctor has found during postmortem that the injury is on forehead, except that no injury was found on the other parts of the body. The Doctor has further opined death of the deceased due to head injury, which has been attributed to other co-accused person. The appellant is in custody for about 13 months



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 appellant above named, be released on bail on furnishing bail bonds of Rs.25,000 (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge-cum-Special court, S.C./S.T. Act, Saran, Chapra in connection with S.Tr. No.606 of 2016, after setting aside order dated 10.11.2016 passed by the 1st Addl. Sessions Judge-cum-Special court, S.C./S.T. Act, Saran, Chapra in B.P.No.1927 of 2016 arising out of Ravilganj P.S.Case No.103/2016 corresponding to S.Tr. No.606 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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