

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1673 of 2017

Arising Out of PS.Case No. -111 Year- 2017 Thana -BARHARIA District- SIWAN

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1. Osihar Singh, Son of Rambhaju Singh Bhaju Singh, Both are Resident of Village- Bhamopali Tola 25, P.O.- Rachhopali, P.S.- Barharia, District- Siwan.

2. Balister Singh, Son of Rambhaju Singh @ Bhaju Singh
Both are residents of village – Bhamopali Tola 25, P.O. – Rachhopali, P.S – Barharia, District –Siwan.

.... Appellants/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellants/s : Mr. Ranjeet Kumar

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 19-08-2017 The appellants seek regular bail in connection with Barharia P.S. Case No. 111 of 2017, registered for offences punishable under Sections 341, 323, 436, 308 and 38 of Indian Penal Code and Section 3(ii)(v) of SC/ST Act.

Allegation against the appellants is of assaulting the informant and setting the pilani on fire.

It has been submitted on behalf of the appellants that they have falsely been implicated on the backdrop of land dispute. Further only general and omnibus allegation has been levelled against the appellants for which they have been in judicial custody since 19.04.2017.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation and period of custody, this appeal is allowed and impugned order is set aside.



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 Court – cum- Additional District & Sessions Judge -1, Siwan, in connection with Barharia P.S. Case No. 111 of 2017, 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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