

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1691 of 2017

Arising Out of PS.Case No. -223 Year- 2016 Thana -SULTANGANJ District- BHAGALPUR

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1. Parshuram Mandal Son of Fuleshwar Mandal, Resident of Village-
Baraitha, Police Station- Sultanganj, District- Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashutosh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-07-2017 Heard the parties.

The appellant seeks regular bail in connection with Sultanjganj P.S.Case No.223 of 2016 registered for offences punishable under Section 436 of the Indian Penal Code and Section 3(i)(xv) of SC/ST (Prevention of Atrocities Act) Act.

Allegation against the appellant is that he threatened the informant and others to throw out of their houses and further allegation is that in the night, the house of the informant and others set on fire and the appellant was seen from fleeing the place of occurrence.

Submission of the learned counsel for the petitioner is that there are case and counter case between the parties and except seeing the accused fleeing from the place of occurrence there is nothing against him. He is in custody for about six months.

Heard learned Special P.P. also.



Having heard both sides in view of the above facts and circumstances, this appeal is allowed, who has opposed the prayer for bail.

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 2nd Additional Sessions Judge-cum-Special Judge SC/ST, Bhagalpur in connection with Sultanganj P.S.Case no.223 of 2016 after setting aside order dated 28.04.2017 passed by the learned 2nd Additional Sessions Judge-cum-Special Judge SC/ST, Bhagalpur in Sultanganj P.S.Case no.223 of 2016, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be 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.
- (iii) The appellant shall co-operate in the disposal of trial and make himself available as and when required by the court concerned 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 will be free to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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