

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2012 of 2017

Arising Out of PS.Case No. -37 Year- 2016 Thana -SC/ST District- GOPALGANJ

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1. Raman Kumar

2. Gagan Kumar Both sons of Shiv Kumar Bhagat, resident of Village-
Narkatiya, P.O. & P.S.- Uchkagaon, District- Gopalganj.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Satyendra Rai

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-07-2017

Heard the parties.

The appellants seek regular bail in connection with
Gopalganj S.C. S.T. Case No.37 of 2016 (G.R.No.203398 of
2016), registered for offences punishable under Section 447, 341,
323, 324, 354, 307 and 504/34 of the Indian Penal Code and
Section 3(i)(r) of SC/ST (Prevention of Atrocities Act) Act.

Allegation against the appellants is of assaulting the
informant causing some injuries.

Submission of the learned counsel for the appellants
is that the prosecution case is false and concocted and the same
has been filed due to land dispute. Further there is general and
omnibus allegation against the appellants and the other co-accused
persons and the injuries are simple in nature. The appellants are in
custody for about 1 ½ months.

Heard learned Special P.P. also.



Having heard both sides 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 Additional Sessions Judge First-cum-Special Judge, Gopalganj in connection with Gopalganj S.C. S.T. Case No.37 of 2016 (G.R.No.203398 of 2016), after setting aside order dated 7.6.2017 passed by the learned Additional Sessions Judge First-cum-Special Judge, Gopalganj in Gopalganj S.C. S.T. Case No.37 of 2016 (G.R.No.203398 of 2016), subject to the following conditions:-

- (i) One of the bailors of the appellants shall be 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 co-operate in the disposal of trial and make themselves available as and when required by the court concerned 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 bond.

(Vinod Kumar Sinha, J)

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