

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2100 of 2017

Arising Out of PS.Case No. -267 Year- 2016 Thana -AMARPUR District- BANKA

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1. Subhash Bagway Son of Sri Bisundeo Bagway Resident of Village-
Ballikitta, Police Station- Amarpur, District - Banka.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Amrendra Kumar Jha

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 24-08-2017 The appellant seeks regular bail in connection with

Amarpur P.S. Case No. 267 of 2016, registered for offences

punishable under Sections 279, 304(A) of the Indian Penal Code,

and Section 3(1)(x) of SC/ST (POA) Act.

Allegation against the petitioner is of forcibly taking the

son of the informant for some work and, thereafter, the son of the

informant fell down from the tractor and died.

It has been submitted on behalf of the appellant that he

has falsely been implicated in this case and the son of informant

died accidentally as he himself fell down from the tractor and has

nothing to do with the said offence. Further he has been in judicial

custody for six months.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts as stated

above, this appeal is allowed and impugned order is set aside. Let

the appellant above named, be released on bail on furnishing bail



bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge Banka, in connection with Amarpur P.S. Case No. 267 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.
- (iii) 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 bonds.

(Vinod Kumar Sinha, J)

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