

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1654 of 2017

Arising Out of PS.Case No. -48 Year- 2014 Thana -BELDAUR District- KHAGARIA

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Sonelal Thakur Son of late Ram Lakhan Thakur, Resident of Village-Naradpur, Police Station-Beldour, District-Khagaria, at present R/o Rajalham, P.S. Maheshkhunt, District-Khagaria.

..... Appellant

Versus

1. The State of Bihar
2. Pramod Ram, Son of Kishun Ram, Resident of Village-Naradpur, Police Station-Beldour, District-Khagaria

..... Respondents

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Spl P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-07-2017

The appellant seeks bail in connection with Beldour P.S. Case No. 48 of 2014 registered for offences punishable under sections 449, 307, 379/34 of the Indian Penal Code and Section 27 of the Arms Act and 3 (1) (x) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellant is that a cage was stolen from the residence of the informant and in the same day found in the house of Sonelal Thakur(appellant). It is further alleged that appellant threatened the informant, but on 19/20.03.2014 at 12.00-1.00 in the night appellant knock the door of the informant, in the meantime when the informant going to open the door, the appellant open fired outside the residence of the informant but



informant did not sustain any injury. It is further alleged that the wife of appellant took one briefcase in which several valuable items were there.

Learned counsel for the appellant submitted that he is innocent and has not committed such offence. Further it is stated that the informant has applied his mind by concocting a interesting story by saying that while the appellant was standing outside of the house of the informant open fire pointing to the informant. The aforesaid story is appears to be concocted one. It is stated that the appellant is in custody since 24.04.2017.

Heard learned Special P.P. also.

Having heard both sides and considering the aforementioned facts and circumstances, this appeal is allowed, let appellant surrender before the Court of Special Judge within a period of four weeks and on his so surrendering the Court below will release him on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, SC & ST, Khagaria in connection with Beldour P.S. Case No. 48 of 2014, 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 adduce 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.

(Vinod Kumar Sinha, J.)

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