

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2044 of 2017

Arising Out of PS.Case No. -154 Year- 2017 Thana -TEGHRA District- BEGUSARAI

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Pappu Kumar @ Pappu Sah @ Pappu Kumar Sah, son of Charita Sah,
resident of Village- Mahadeogarh (Mahadeo Nagar), Police Station-
Sekhpura, District- Sekhpura.

.... Appellant

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Umesh Kumar Mishra

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-08-2017 Heard learned counsel for the appellant and learned

Special P.P.

This appeal has been filed for setting aside the order dated 14.6.2017 passed by I/c Special Judge, SC/ST Act, Begusarai in bail petition filed by the appellant arising out of Teghara P.S.Case No. 154 of 2017 registered under Sections 448, 376, 511/34 of the Indian Penal Code and 3(R)(s)(w) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for grant of bail to the appellant.

Allegation as per FIR is that the appellant and other accused person have entered the house of the informant and other accused person has tried to commit rape upon the wife of informant.

It has been submitted on behalf of the appellant that there is nothing specific against the appellant except he was also present there and arrested at the spot and now he is in custody for more than two months.

Learned Special P.P. has opposed the prayer for bail.



Having heard both sides and in view of facts and circumstances, as stated above, the appeal is allowed and the impugned order is set aside.

Let the appellant, named above, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of I/c Special Judge, SC/ST Act, Begusarai, in connection with Teghra P.S.Case No. 154 of 2017, subject to the following conditions :-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable properties 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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