

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2867 of 2017

Arising Out of PS.Case No. -75 Year- 2014 Thana -PIRPAINTI District- BHAGALPUR

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1. Rajesh Kumar Gupta @ Rajesh Gupta son of Gauri Sah, resident of Mirza Chowki, Police Station- Mirza Chowki, District- Sahebganj (Jharkhand).

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Praveen Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-10-2017 The appellant seeks regular bail in connection with Pirpainty P.S. Case No. 75 of 2014, registered for offences punishable under Sections 30/34 of the Indian Penal Code, and Section 3(i)(x) and 3(ii)(v) of SC/ST (POA) Act.

Allegation against the appellant that he along with others is of killing the husband of the informant.

It has been submitted on behalf of the appellant that he has falsely been implicated in this case and save and except last seen theory, there is nothing against the appellant so as to show his involvement in the present case and he has been in judicial custody since 11.09.2017.

Heard learned Special 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 02nd Additional District & Sessions Judge, Bhagalpur, in connection with Pirpainty P.S. Case No. 75 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 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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