

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2949 of 2017

Arising Out of PS.Case No. -3 Year- 2016 Thana -SC/ST District- JEHANABAD

=====

Ashok Kumar @ Ashok Kumar Sharma son of late Ram Ishwar Sharma @
Mohan sharma resident of village Pokhma,P.S. Pandaul, P.S. Shakarabad,
District Jehanabad.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Arun Kumar

For the Respondent/s : Mr. Binay Krishna

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-10-2017 Heard the parties.

The appellant seeks regular bail in connection with
Arwal SC/ST P.S.Case No.3 of 2016 registered for offences
punishable under Sections 323 and 504/34 of the Indian Penal
Code and Section 3(1)(x) of SC/ST (Prevention of Atrocities Act)
Act.

Allegation against the appellant is that the informant
came for registration in the school of the appellant, who happens
to be Headmaster of the School but he abused the informant by
taking caste name and also not registered the informant in his
school.

Submission of the learned counsel for the appellant is
that there is delay of lodging the FIR of three months and
allegation is false and concocted. The appellant is 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 appellant above named, be released on bail on furnishing bail bonds of Rs.25,000 (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Addl. Sessions Judge-1st-cum-Spl. Judge, Jehanabad/C.J.M., Jehanabad in connection with Arwal SC/ST P.S.Case No.3 of 2016, Sessions Trial No.112 of 2016 after setting aside order dated 12.09.2017 passed by the learned Addl. Sessions Judge 1st-cum-Spl. Judge, Jehanabad in Arwal SC/ST P.S.Case No.3 of 2016, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be 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 co-operate in the disposal of trial and make himself available as and when required by the court concerned 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 will be free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

