

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2677 of 2017

Arising Out of PS.Case No. -135 Year- 2017 Thana -BARHARA District- PURNIA

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1. Shiv Nandan Sharma son of Late Srkant Sharma
2. Anil Kumar Bharti son of Late Lakru @ Rajeshwar Mandal
Both R/O Kailu Tol, Sukhsena, P.S.Barhara Kothi, Distrit- Purnea.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dr. Bidhu Ranjan

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-09-2017 Heard the parties.

The appellants seek regular bail in connection with Barhara P.S.Case No.135 of 2017 registered for offences punishable under Section 147, 148, 149, 307, 504 and 506 of the Indian Penal Code and Section 3(i)(x) of SC/ST (POA) Act.

Allegation against the appellants and 20 other co-accused persons is of firing on the informant.

Submission of the learned counsel for the appellants is that in spite of firing by 20 persons, there is only one injury, which is not probable. The appellants are in custody for about two months.

Heard learned Special P.P. also.

In view of the facts and circumstances, this appeal is allowed.



Let the appellants, above named, be released on bail on furnishing bail bonds of Rs.25,000 (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge, SC/ST, Purnea in connection with Special SC/ST Case No.120 of 2017 arising out of Barhara P.S.Case No.135 of 2017 after setting aside order dated 22.8.2017 passed by the learned 1st Additional Sessions Judge-cum-Special Judge SC/ST, Purnea in Special SC/ST Case No.120 of 2017 arising out of Barhara P.S.Case No.135 of 2017, subject to the following conditions:-

- (i) One of the bailors of the appellants shall be local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellants will not induce any witness or tamper with the evidence.
- (iii) The appellants shall co-operate in the disposal of trial and themselves himself available as and when required by the court concerned and on the event of failure on their 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 their bail bond.

(Vinod Kumar Sinha, J)

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