

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2931 of 2017

Arising Out of PS.Case No. -17 Year- 2016 Thana -SC/ST District- GOPALGANJ

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1. Sahamuddin Mian son of Late Esharaya Mian, Resident of Village-
Fulwariya, Police Station- Manjhagarh, District Gopalganj.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Lokesh Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-10-2017 Heard the parties.

The appellant seeks regular bail in connection with
Trial No.69 o 2017 (arising out of Gopalganj SC/ST P.S.Case
No.17 o 2016) registered for offences punishable under Section
147, 447, 341, 323, 307, 337, 504 and 506 of the Indian Penal
Code and Section 3(i) (x) of SC/ST (Prevention of Atrocities Act)
Act.

Allegation against the appellant is of assault by the
appellant and the other co-accused persons.

Submission of the learned counsel for the appellant is
that allegation of assault is general and omnibus in nature and
nothing specific has been attributed against him. He is in custody
for about 2 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 Ist Addl. Sessions Judge-cum-Special Judge, Gopalganj in connection with Gopalganj SC/ST P.S.Case no.17 of 2016 after setting aside order dated 31.8.2017 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Gopalganj in Gopalganj SC/ST P.S.Case No.17 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)

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