

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2938 of 2017

Arising Out of PS.Case No. -21 Year- 2017 Thana -MAHILA P.S. District- SIWAN

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1. Arif Ali @ Dhanu, S/o Late Meraj Ahmad, R/o Vill.- Kudiyapur, P.S.-
Badharia, District- Siwan.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Nawal Kishore Singh

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 13-11-2017 Heard the parties.

The appellant seeks regular bail in connection with Mahila P.S.Case No.21 of 2017 registered for offences punishable under Sections 341, 448, 323, 354(B), 504 and 506 of the Indian Penal Code, Section 6/8 of POCSO Act and Section 3(i)(x) of SC/ST (Prevention of Atrocities Act) Act.

Allegation against the appellant and others is of assaulting the informant and others and also trying to undress her.

Submission of the learned counsel for the appellant is the main allegation is against another person and not against the appellant. The appellant is in custody for about three 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 the learned Ist Additional Sessions Judge, Siwan in connection with Mahila P.S.Case No.21 of 2017 after setting aside order dated 30.8.2017 passed by Ist Addl. Sessions Judge, Siwan in Mahila P.S.Case No.21 of 2017, 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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