

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2919 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -CHAUTHAM District- KHAGARIA

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1. Fulen Singh, Son of Kisan Singh,
2. Kisan Singh, Son of late Achhelal Singh, Both resident of Village-
Barahra, P.S. Choutham, District- Khagaria.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Mrityunjay Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-11-2017 Heard the parties.

The appellants seek regular bail in connection with Choutham P.S.Case no.99 of 2017 dated 27.5.2017 G.R.No.1513 of 2017 registered for offences punishable under Section 147, 341, 323, 385, 387, 504 and 506 of the Indian Penal Code and Section 3(x) of SC/ST (Prevention of Atrocities Act) Act.

Allegation against the appellants and other accused persons is of assaulting the informant when she demanded her dues and also abused her by saying that she has committed witchcraft. Further allegation is that they have assaulted the informant causing miscarriage.

Submission of the learned counsel for the appellants is that no specific allegation has been attributed against any of the



appellants and further the injuries were said to be simple in nature and no such occurrence has taken place. They are in custody for 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 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 Special Judge-cum-Additional District & Sessions Judge Ist, Khagaria in connection with Choutham P.S.Case No.99 of 2017 dated 27.5.2017 G.R.No.1513 of 2017 after setting aside order dated 22.09.2017 passed by the learned Special Judge-cum-Additional District and Sessions Judge 1st, Khagaria in Choutham P.S.Case No.99 of 2017 dated 27.5.2017 G.R.No.1513 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 make themselves 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 their bail bond.



With the aforesaid observation, this application is
allowed.

(Vinod Kumar Sinha, J)

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