

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1699 of 2017

Arising Out of PS.Case No. -64 Year- 2015 Thana -PUSA District- SAMASTIPUR

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1. Raj Narayan Mahto, Son of Late Nandlal Mahto, resident of Village-Harpur Pusa, P.S.- Pusa, District- Samastipur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Alok Kumar Alok

: Mr. Dilip Kumar Roy

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-07-2017 The appellant seeks pre arrest bail in connection with Pusa P.S. Case No. 64 of 2015, registered for offences punishable under Sections 147, 148, 150, 151, 152, 323, 342, 347, 333, 353, 307, 504 and 120(B) of the Indian Penal Code and Section 3(i) (x) of SC/ST Act.

Allegation against appellant and fifteen others is that they came to the house of the informant abused him and assaulted him and also forcibly administered wine to him.

It has been submitted that no specific allegation either under the above mentioned Sections of Indian Penal Code as well as SC/ST has been levelled against the appellants and all the allegations are general and omnibus in nature. Further other accused person has already been granted the privilege of



anticipatory bail by this Court vide order dated 11.12.2015 passed in Criminal Miscellaneous No. 52979 of 2015.

Learned Special P.P. could not controvert the above submissions of learned counsel for the appellants

Having heard both sides, considering the facts and circumstances of the case, this appeal is allowed, let the appellant, above named, in the event of his arrest or surrender before the Court below, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, in connection with Pusa P.S. Case No. 64 of 2015, subject to the conditions laid down under Section 438 (2) of Cr.P.C.

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the



prosecution will be free to move for
cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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