

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1502 of 2017

Arising Out of PS.Case No. -26 Year- 2017 Thana -MUZAFFARPUR SADAR District-
MUZAFFARPUR

=====

Vijay Kumar son of Ram Chandra Ram, resident of village - Mithurapur
Patahi, P.S. - Sadar, District - Muzaffarpur.

.... Appellant

Versus

The State of Bihar.

.... Respondent

=====

Appearance :

For the Appellant/s : Mr. Ganesh Prasad Singh, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-07-2017 Heard learned counsel for the appellant and learned
Special P.P.

This appeal has been filed for setting aside the order dated 11.4.2017 passed by 3rd. Additional Sessions Judge, Muzaffarpur, in Trial No. 88 of 2017, arising out of Muzaffarpur Sadar P.S.case No. 26 of 2017 instituted under Sections 302 of the Indian Penal Code, 27 of Arms Act and 3(ii)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for grant of bail to the appellant.

Appellant is not named in the FIR and his name transpires during course of investigation.

Submission of learned counsel for the appellant is that except confessional statement of co-accused there is nothing against the appellant and there is no recovery from his possession and he is in custody for about six months.

Learned Special P.P. could not controvert the above submission.



Having heard both sides and in view of facts and circumstances, as stated above, let the appellant, named above, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of 3rd. Additional Sessions Judge-cum-Special Judge, SC/ST Act, Muzaffarpur, in connection with Trial No. 88 of 2017, arising out of Muzaffarpur Sadar P.S.Case No. 26 of 2017, subject to the conditions that one of the bailors should be a local person having sufficient immoveable properties within the jurisdiction of the court concerned, he will co-operate in disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail and further he will not induce any witness or tamper with the evidence and appellant will not induce any witness and tamper with the evidence .

Accordingly, the appeal is allowed and the impugned order is set aside.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

