

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.1576 of 2017**

Arising Out of PS.Case No. -52 Year- 2016 Thana -FENHARA District-  
EASTCHAMPARAN(MOTIHARI)

=====

1. Prem Raut, Son of Late Paras Raut, Resident of Village-Baiju P.S.-  
Patahi, District-East Champaran

.... .... Appellant/s

Versus

1. The State of Bihar

.... .... Respondent/s

=====

**Appearance :**

For the Appellant/s : Mr. Krishna Kant Singh

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

=====

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      01-07-2017      The appellant seeks regular bail in connection with  
Fenhara P.S.Case No.52 of 2016, registered for offences  
punishable under Sections 341, 307, 387 & 504/34 of the Indian  
Penal Code and Section 3 (i)(x) of SC/ST (POA) Act.

Submissions of the learned counsel for the appellant is  
that though there is allegation that the appellant is criminal and  
fired upon the informant but he has no criminal antecedent and the  
injury report also shows that the injuries are simple in nature  
caused by the hard and blunt substance and on the complaint of  
the informant, he was examined later on and the injuries was also  
found to be simple in nature. It has further been submitted that as a  
matter of fact he was a witness in a Title Suite between the  
informant and Sheodulari Devi and in that case he has filed an



affidavit due to that he has been falsely implicated in this case.

The appellant is in custody for more than 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 1<sup>st</sup> Addl. Sessions Judge-cum-Special Judge (SC/ST) (POA) Act, East Champaran, Motihari in connection with Fenhara P.S.Case No.52 of 2016, after setting aside order dated 21.4.2017 passed by passed by the learned 1<sup>st</sup> Addl. Sessions Judge, East Champaran, Motihari in Fenhara P.S.Case No.52 of 2016, subject to the following conditions:-

- (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 will not induce any witness or tamper with the evidence.
- (iii) The appellant shall cooperate in the 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 reasons, the prosecution will be free to move for cancellation of his bail bonds.

**(Vinod Kumar Sinha, J)**

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