

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.1677 of 2017**

Arising Out of PS.Case No. -20 Year- 2016 Thana -SC/ST District- PURNIA

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Arun Kumar Gupta S/o Bhagwan Gupta resident of Madhubani Bazar, P.S.  
- K.Hat, District - Purnea.

.... .... Appellant

Versus

The State of Bihar.

.... .... Respondent

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**Appearance :**

For the Appellant/s : Mr. Bhaskar Shankar

For the Respondent/s : Mr. Sadanand Paswan

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

3      09-08-2017                      Heard learned counsel for the appellant and learned  
Special P.P.

This appeal has been filed for setting aside the order dated 9.5.2017 passed by 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, Purnea, in Special Case No. 01 of 2016, arising out of SC/ST P.S.Case no. 20 of 2016 registered under Sections 307, 323, 341, 342, 379, 385, 354, 427, 504, 506/34 of the Indian Penal Code and 3(1)(x)(xi) 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 allegation as per FIR is that he tried to pull the sari of the Mausi of the informant and also assaulted the informant and others.



It has been submitted on behalf of the appellant that informant is in habit of filing of false case and in the year 2014 also she has filed a case against the appellant and others and appellant is in custody since 24.4.2017.

Having heard both sides and in view of facts and circumstances, as stated above, the appeal is allowed and the impugned order is set aside.

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 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, Purnea, in connection with Special Case No. 01 of 2016, arising out of SC/ST Case No. 20 of 2016, subject to the following conditions :-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable properties 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 reason, the prosecution is free to move for cancellation of his bail.

**(Vinod Kumar Sinha, J)**

spal/-

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