

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1534 of 2017

Arising Out of PS.Case No. -81 Year- 2015 Thana -DIGHALBANK District- KISANGANJ

=====

1. Motu Lal Ganesh @ Mataku Kumar Ganesh, Son of Raj Kumar Ganesh,
2. Govind Lal Ganesh @ Govind Ganesh , Son of Chuha Lal Ganesh,
3. Dilip Kumar Ganesh @ Dilip Ganesh , Son of Mangal Singh @ Mangal Singh Ganesh,
4. Bhadwa Ganesh @ Bhadan Ganesh @ Bhaduwa Ganesh, Son of Rameshwar Lal Singh,
5. Chuha Lal Ganesh , Son of Late Khaman Lal Ganesh,
6. Mangal Singh Ganesh, Son of Late Dhanilal Ganesh, All are Resident of Village- Pipla, P.S.- Dighal Bank, District- Kishanganj.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Amal Kumar Sinha

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

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-07-2017 The appellants seek regular bail in connection with Dighalbank P.S.Case No.81 of 2015, registered for offences punishable under Sections 147, 148, 149, 341, 323, 447, 504 & 379 of the Indian Penal Code and Section 3 (x) of SC/ST (POA) Act.

Submissions of the learned counsel for the appellants is that there is general and omnibus allegation of assault against the appellants and also abusing by taking caste name and further one of the co-accused against him there is similar allegation has already been granted bail by this Court, vide order dated



17.9.2016 passed in Cr. Misc. No.39894 of 2016. The appellants are in custody since 6.4.2017.

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 Addl. Sessions Judge 1st-cum-Special Judge, Kishanganj in connection with Special Case No.47A/2016 arising out of Dighalbank P.S.Case No.81 of 2015, after setting aside order dated 6.4.2017 passed by the learned Addl. Sessions Judge 1st-cum-Special Judge, Kishanganj in Special Case No.47A/2016 arising out of Dighalbank P.S.Case No.81 of 2015 , subject to the following conditions:-

- (i) One of the bailors of the appellants shall be a 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 cooperate in the disposal of trial and make themselves available as and when



required by the court and on the event of failure on their 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 bonds.

(Vinod Kumar Sinha, J)

chn/-

U			
---	--	--	--

