

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1763 of 2017

Arising Out of PS.Case No. -142 Year- 2017 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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Gautam Singh Son of Late Ramasaray Singh resident of Village- Mangalpur
Kala, P.S.- Nautan, District- West Champaran.

.... Appellant

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Indrajeet Bhushan, Advocate
: Mr. Manish Kumar, Advocate
For the Respondent/s : Smt Usha Kumari No-1, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 17-07-2017 The appellant seeks bail in connection with Nautan

P.S. Case No. 142/2017 registered for offences punishable under

sections 341, 342, 323, 325, 384, 379, 504, 506/34 of the I.P.C.

and under Sections 3(1)(r)(II)(VA) of Scheduled Castes and

Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant and other co-accused

persons are that on 30.04.2017 informant was at his corn field, the

appellant and co-accused persons went there and demanded Rs.

1,00,000/- from him, when he refused to pay the same, upon

which all the accused persons assaulted him with the butt of single

barrel gun and they also abused him by calling his cast name.

They also told that if he will not give the Rangdari they will



further beat him. On hearing the hue and cry the son of the informant arrived there and he was also assaulted by the accused persons. Thereafter, accused Sanjay Singh carried both of them on a motorcycle and also he abused them by calling their cast name and took away Samsung mobile, a gold chain and Rs. 10,000/- from him. Thereafter, the co-villagers and police arrived there and the accused persons fled away and the informant was taken to Hospital for treatment.

It has been submitted on behalf of the appellant that there is general and omnibus allegation against the appellant and no specific overt act has been attributed to him. He is in custody for about 2 and half months.

Heard Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, period of custody and further there is no allegation of assault against the appellant, as such, let appellant above named 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 A.D.J.-Cum-Special Judge, Bettiah, West Champaran, in connection with Nautan P.S. Case No. 142/2017 subject to the following condition:-

(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 is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J.)

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