

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1874 of 2017

Arising Out of PS.Case No. -112 Year- 2016 Thana -MARKAHI District- KHAGARIA

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1. Ranjeet Sharma, Son of Parmeshwar Sharma,
2. Mithlesh Sharma, Son of Sunil Sharma, Both resident of Village-
Banher, P.S.- Morkahi, District- Khagaria.

.... Appellants

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Ram Sumiran Rai, Advocate

For the Respondent/s : Mr. Binay Krishna, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-07-2017 Heard learned counsel for the appellants and learned

Special P.P.

This appeal has been filed for setting aside the order dated 27.5.2017 passed by Sri Ashok Kumar, 1st Additional Sessions Judge, Khagaria, in Regular Bail Application filed by the appellants, arising out of Morkahi P.S.case No. 112 of 2016 instituted under Sections 147, 148, 341, 323, 307, 447, 427, 354, 504, 506 of the Indian Penal Code and 3(i)(r)(s) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for grant of bail to the appellants.

Allegation as per FIR against the appellant is that they have assaulted the informant.

It has been submitted on behalf of the appellants that there is case and counter case between the parties and the appellants are members of mob and there is nothing against them and they are in custody for two 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 appellants, named above, be enlarged 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 1st Additional Sessions Judge, Khagaria, in connection with Morkahi P.S. Case No. 112 of 2016, 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, they will co-operate in 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 reason, the prosecution is free to move for cancellation of their bail and further they will not induce any witness or tamper with the evidence.

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

(Vinod Kumar Sinha, J)

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