

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1504 of 2017

Arising Out of PS.Case No. -8 Year- 2016 Thana -PAUTHU District- AURANGABAD

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Md. Jabir alias Md. Jabir Mion alias Zaber Mion, son of Md. Abdula,
resident of Village- Benahi, P.S.- Benahi, P.S.- Pouthu, District-
Aurangabad.

.... Appellant

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Shailesh Kumar Singh

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 02-08-2017 Heard learned counsel for the appellant and learned
Special P.P.

This appeal has been filed for setting aside the order dated 19.4.2017 passed by Special Judge, SC/ST Act-cum-1st Additional Sessions Judge, Aurangabad, in G.R.No. 55 of 2017/71 of 2017, arising out of Pauthu P.S.Case No. 8 of 2016 registered for the offences under Sections 341, 354, 307, 504, 506/34 of the Indian Penal Code and 3(1)(x), 3(i)(xi)/ 3(2)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for grant of bail to the appellant.

Allegation as per FIR is that appellant and another accused person were present at the place of occurrence and allegation of firing against co-accused person.



It has been submitted on behalf of the appellant that there is no allegation of assault against him and so far allegation of abuse is concerned, there is general and omnibus allegation against several accused persons, including the appellant and he is in custody for more than three months and other co-accused has been granted bail in Cr.Appeal No. 679 of 2016, vide order dated 20.10.2016.

Learned Special P.P. also.

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 1st Additional Sessions Judge, Aurangabad, in connection with G.R.No. 55 of 2017/71 of 2017, arising out of Pauthu P.S.Case No. 8 of 2016, subject to the conditions that one of the bailors should be a local person having sufficient immovable properties within the jurisdiction of the court concerned, he will co-operate in 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 and further
he will not induce any witness or tamper with the evidence.

(Vinod Kumar Sinha, J)

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