

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2830 of 2017

Arising Out of PS.Case No. -151 Year- 2017 Thana -PHULWARIA District- GOPALGANJ

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Saddam Hussain, son of Md. Muslim Miya, R/o Village- Pandey Parsa,
P.S.- Fulwariya (Sripur O.P.), District- Gopalganj.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Indrajeet Bhushan

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-10-2017 Heard learned counsel for the appellant.

This appeal has been filed for grant of bail in connection with Trial No. 444 of 2017, arising out of Fulwariya P.S. Case No. 151 of 2017, registered for the offences punishable under Sections 354 of the Indian Penal Code and 3(1)(xi) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 29.8.2017 passed by Additional District and Sessions Judge-I-cum-Special Judge, Gopalganj.

Allegation against the appellant is of catching hold of daughter of informant.

Submission of learned counsel for the appellant is that at best it is a case under Section 354 IPC and he is in custody for two and a half months having no criminal antecedent.

Heard learned Special P.P., who could not controvert the above submission.

Having heard both sides and in view of the facts and



circumstances, as stated above, this appeal is allowed and the impugned order is set aside.

Let the appellant, above named, be released 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 Additional District and Sessions Judge-I-cum-Special Judge, Gopalganj, in connection with Fulwariya P.S. Case No. 151 of 2017, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties in the jurisdiction of court concerned,
- (2) Appellant shall co-operate in disposal of trial and appear before the court on each and every date and on failure to appear on two consecutive dates without any genuine reason or without permission of court, his bail bond shall be liable to be cancelled,
- (3) Appellant shall not induce any witness or tamper with the evidence.

(Vinod Kumar Sinha, J)

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