

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1766 of 2017

Arising Out of PS.Case No. -20 Year- 2016 Thana -SC/ST District- PURNIA

=====

Chandan Bhagat @ Chandan Kumar Bhagat, son of Ram Narayan Bhagat,
resident of Village- Chhat Pokhar (Tatma Toli) Police Station- K. Hat,
District- Purnea.

.... Appellant

Versus

The State of Bihar

.... Respondent

=====

Appearance :

For the Appellant/s : Mr. Anil Kumar Anal, Advocate
For the Informant : Mr. Ram Pravesh Kumar, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 03-08-2017 Heard learned counsel for the appellant and learned
Special P.P. for the State.

This appeal has been preferred for setting aside the order dated 9.5.2017 passed by 1st Additional Sessions Judge-cum-Special Judge, Purnea in Special SC/ST Case No. 1 of 2016, arising out of SC/ST P.S.Case No. 20 of 2016 registered for the offences punishable under Sections 341, 342, 323, 307, 379, 385, 354, 427, 504, 506, 34 of the Indian Penal Code and Section 3(i)(x)(xi) of SC/ST (Prevention of Atrocities) Act and for grant of bail to the appellant.

Allegation against the appellant is that he along with other co-accused persons has threatened the informant and abused



her by taking her caste name and further allegation is of assaulting her.

Submission of learned counsel for the appellant is that there is seven days delay in lodging the FIR and there is general and omnibus allegation against all the accused persons and the injuries sustained by the informant are simple in nature and he is in custody for more than three months. It has further been submitted that similarly situated co-accused has been granted bail by this Court in Cr.Appeal (SJ) No. 2058 of 2017, vide order dated 19.7.2017.

Learned Special P.P. and learned counsel for the informant have opposed the prayer for bail.

Having heard both sides and considering the facts and circumstances of the case, the appeal is allowed and impugned order is set aside.

Let 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 1st Additional Sessions Judge-cum-Special Judge, Purnea, in connection with SC/ST P.S.Case No. 20 of 2016, corresponding to Special SC/ST Case No. 1 of 2016, subject to the conditions that one of the bailors should be local person having sufficient



immoveable properties within the jurisdiction of court concerned
and he will cooperate with the trial and appear in court on each
and every date, failing which his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

