

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1038 of 2016

Arising Out of PS.Case No. -42 Year- 2015 Thana -MADHEPURA District- MADHEPURA

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1. Prabhu Sah @ Swarnkar, son of Late Jaleshwar Sah, resident of Village-
Azad Nagar, Ward No.7, Madhepura, Police Station & District- Madhepura.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bam Bahadur Jha

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 08-09-2017 Heard the parties.

The appellant seeks regular bail in Madhepura P.S. Case No.42 of 2015 registered for the offence under Sections 323, 326, 307, 379, 34 of the I.P.C. and Section 3(1) (X) of the SC/ST (prevention of atrocities) Act.

Allegation as per the F.I.R. against the appellant along with other co-accused is of pouring acid on the son of the informant causing injury to him.

Submission of the learned counsel for the appellant is that there is no allegation of pouring acid against the appellant. Further submission is that co-accused, Sita Devi, has already been granted bail by a coordinate Bench vide order dated 22.07.2016 passed in Cr.Misc.No.9318/16 and he is in custody since



14.06.2016.

Heard learned Special P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, this appeal is allowed. Let the appellant, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of C.J.M., Madhepura, in Madhepura P.S. Case No.42 of 2015 subject to the conditions that (1) one of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned court. (2) The appellant will not induce any witness or tamper with the evidence. (3) The appellant shall co-operate in disposal of trial and make himself available as and when required by the court. In the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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