

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2885 of 2017

Arising Out of PS.Case No. -59 Year- 2017 Thana -RISHIUP District- AURANGABAD

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1. Babar Alam Son of Md. Kudus Alam, R/o Village- Pahara, P.S.- Risiup,
District- Aurangabad.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Santosh Kumar Pandey

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 13-11-2017 Heard the parties.

The appellant seeks regular bail in connection with Risiup P.S.Case No.59 of 2017 registered for offences punishable under Sections 341, 323, 354, 504 and 506 of the Indian Penal Code and Section 3(1)®/3(1)(s)/3(1)(w)(i) (x) of SC/ST (Prevention of Atrocities Act) Act.

Allegation against the appellant is of using unfair language against the appellant and when the family members had gone to his house to protest, they were abused by taking caste name.

Submission of the learned counsel for the appellant is that no such occurrence has taken place and moreover he is in custody for more than 2 ½ months and he is ready to abide by any condition imposed upon him.

Heard learned Special P.P. also.



Having heard both sides in view of the above facts and circumstances, this appeal is allowed.

Let the appellant above named, be released on bail on furnishing bail bonds 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 SC/ST Act, Aurangabad in connection with Risiup P.S.Case No.59 of 2017 after setting aside order dated 7.9.2017 passed by the learned 1st Additional Sessions Judge-cum-Special Judge SC/ST Act, Aurangabad in Risiup P.S.Case No.59 of 2017, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall co-operate in the disposal of trial and make himself available as and when required by the court concerned and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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