

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2817 of 2017

Arising Out of PS.Case No. -185 Year- 2017 Thana -BODHGAYA District- GAYA

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1. Vikash Kumar, Son of Sewak Sao,
2. Jitendra Kumar, Son of Rajeshwar Singh, Both are resident of Village-
Parsawan, Police Station- Cherki, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Manish Kumar No-2

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 13-10-2017 The appellants seeks pre arrest bail in connection with Bodhgaya (Cherki) P.S. Case No. 185 of 2017, registered for offences punishable under Sections 147, 149, 447, 341, 323, 379 and 504 of the Indian Penal Code.

Allegation against the appellants that they went to the darwaza of the informant and assaulted him and his mother by fists and slaps.

It has been submitted on behalf of the appellants that they have falsely been implicated in this case due to village politics and no allegation of SC/ST Act has been made against the appellants and all other allegations are only general and omnibus in nature.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation, this appeal is allowed and impugned order is set aside, let the appellants above named, in the event of their arrest or surrender before the court



below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge (SC/ST Act), Gaya, in connection with Bodhgaya (Cherki) P.S. Case No. 185 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

This is further subject to the condition that:-

- (i) One of the bailors of the appellants shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellants shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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