

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2505 of 2017

Arising Out of PS.Case No. -95 Year- 2017 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Bipin Kumar
2. Manjay Kumar Both Sons of Manik Mahto, Resident of Village-
Bibhutipur, P.S.- Bibhutipur, District- Samastipur.

.... Appellants/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellants/s : Mr. Mritunjay Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 31-08-2017 The appellants seek pre arrest bail in connection with

Bibhutipur P.S. Case No. 95 of 2017, registered for offences

punishable under Sections 147, 148, 447, 448, 341, 323, 325, 452,

354, 379 and 380 of the Indian Penal Code and Sections

3(1)(R)(S)(W) of the SC/ST Act and Section 3/4 of the Prevention

of Witch (Daain) Practice Act.

Allegation against the appellant and other is of abusing

the informant by caste name and also torn the sari of his mother.

It has been submitted on behalf of the appellants that he

has falsely been implicated in this case and further there is case

and counter case between the parties and though the allegation of

abuse has been levelled, however, that is not in the public view.

Further other co-accused of this case having similar allegation has



already been granted the privilege of anticipatory bail by this Court vide order dated 19.07.2017 passed in Criminal Miscellaneous No. 2074 of 2017.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case and as other co-accused has already been granted bail by this Court as such, this appeal is allowed and impugned order is set aside, let the appellant above named, in the event of his arrest or surrender before the court below within a period of four 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) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Court, Samastipur, in connection with Bibhutipur P.S. Case No. 95 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant shall cooperate in the investigation and make himself available as



and when required by the police and on the event of failure on his part two appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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