

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3137 of 2017

Arising Out of PS.Case No. -99 Year- 2016 Thana -SHEKHPURA District- SEKHPURA

=====

Rajesh Prasad son of Shri Devnandan Prasad Resident of village Devale, P.S.
Shekhpura, District Shekhpura.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Ramji Kumar

For the Respondent/s : Mr. Smt Usha Kumari No-1

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-11-2017

Heard the parties.

The appellant seeks pre arrest bail in connection with Shekhpura P.S.Case No.99 of 2016, G.R.No.293 of 2016, SC/S.T. Case No.178 of 2017 registered for offences punishable under Sections 147, 149, 341, 323, 354, 307, 457, 379 and 506 of the Indian Penal Code and section 3(1)(x, xi) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellant and other accused persons is of assault on the informant.

Submission of the learned counsel for the appellant is that on mere perusal of the FIR, it will appear that specific allegation has been attributed against other accused persons. In the last paragraph of the FIR, general allegation has been attributed against the other accused persons that they have tried to throttle with a view to kill him. There are case and counter case between



the parties.

Heard learned Special P.P.

Having considered both sides and in view of the submission, let the appellant in the event of arrest or surrender before the court of Special Judge within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged 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 the learned C.J.M., Shekhpura in connection with Shekhpura P.S.Case No.99 of 2016, G.R.No.293 of 2016, SC/ST Case No.178 of 2017, subject to conditions as laid down under Section 438 (2) of Cr.P.C. after setting aside the order dated 07.10.2017 passed by the learned A.D.J.1st, Shekhpura in Shekhpura P.S.Case No.99 of 2016, G.R.No.293 of 2016, SC/ST Case No.178 of 2017, subject to further conditions that appellant will co-operate in investigation of the case and will appear before the Investigating Officer as and when required, failing which his bail bond shall be liable to be cancelled.

With the above observation, this appeal is allowed.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

