

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.943 of 2017

Arising Out of PS.Case No. -137 Year- 2015 Thana -MATIHANI District- BEGUSARAI

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1. Sanjay Rai, S/o Nunulal @ Nunu Babu Rai, Resident of Village- Purani Tola, Rachiyahi, P.S. Matihani, District- Begusarai.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Binod Kumar

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-05-2017 The appellant seeks regular bail in connection with Matihani P.S. Case No. 137 of 2015, registered for offences punishable under Sections 147, 148, 149, 341, 342, 323, 302 and 504 of Indian Penal Code and Section 3(2)(v) of SC/ST (Prevention of Atrocities), Act.

Allegation against the appellant that he along with other co-accused persons assaulted the son of informant, who in course of treatment died.

It has been submitted on behalf of the appellant that only general and omnibus allegation has been levelled against the appellant and other co-accused having similar allegation has already been granted bail by this Court, vide order dated 18.10.2016, passed in Criminal Appeal (SJ) No. 662 of 2016 and



appellant has been in custody since 21.02.2017. Further in the case diary it has come that in fact the deceased was caught by the villagers, while committing theft and due which the villagers beaten him and he succumbed to his injuries.

Heard learned Special Public Prosecutor also.

Having heard both sides, considering the aforementioned facts and circumstances, the period of custody and also other co-accused of this case has already been granted, as such, this appeal is allowed, the appellant, above named, be released on bail on furnishing bail bonds 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 (POA) Act, Begusarai, in connection with Matihani P.S. Case No. 137 of 2015, after setting aside the order dated 03.02.2017, passed by learned Special Judge SC/ST (POA) Act.

(Vinod Kumar Sinha, J)

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