

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1186 of 2017

Arising Out of PS.Case No. -83 Year- 2016 Thana -ROUH District- NAWADA

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Shankar Chauhan s/o late Rameshwar Chauhan r/o - Ghorahi, P.S. - Roh,
Distt. - Nawada.

.... Appellant

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Shashi Bhushan Singh, Advocate

For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 03-07-2017 Heard learned counsel for the appellant and learned
Special P.P.

This appeal has been filed for setting aside the order dated 01.03.2017 passed by 1st Additional Sessions Judge-cum-Special Judge, Nawada, in Bail Petition No. 163 of 2017/06 of 2017, arising out of Roh P.S.case No. 83 of 2016 instituted under Sections 341, 323, 324, 307 of the Indian Penal Code and 3(1)(r) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for grant of bail.

Allegation as per FIR against the appellant is of assault causing injury to the informant.

It has been submitted on behalf of the appellant that petitioner has falsely been implicated in this case as there was no intention to kill him and he is in custody for more than five months.

Learned Special P.P. could not controvert the above



submission.

Having heard both sides and in view of facts and circumstances, as stated above, let the appellant, named above, 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 A.C.J.M.-VI, Nawada, in connection with Roh P.S.Case No. 83 of 2016, subject to the conditions that one of the bailors should be a local person having sufficient immovable properties within the jurisdiction of the court concerned, he will co-operate in disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail and further he will not induce any witness or tamper with the evidence.

The appeal is allowed and the impugned order is set aside.

(Vinod Kumar Sinha, J)

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