

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1540 of 2017

Arising Out of PS.Case No. -1 Year- 2017 Thana -CHANDMUNDI District- JAMUI

- =====
1. Kamdeo Goswami, Son of Late Harkhu Goswami
 2. Puran Goswami, Son of Kamdeo Goswami,
 3. Ganesh Goswami, Son of Late Harkhu Goswami
 4. huro Goswami, Son of Asrafi Goswami
 5. Rajkumar Goswami, Son of Bajo Goswami, All are Resident of Village-Yogidih, P.S.-Chandramandih, District-Jamui.

.... Appellants/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellants/s : Mr. Vijay Kumar
For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 18-08-2017 At the very outset, learned counsel for the appellants has submitted that since the appellant no. 4, namely, Huro Goswami, has already been granted the privilege of bail under Section 167(2) Cr.P.C as such this appeal with regard to appellant no. 4 has become infructuous.

Accordingly, the appeal with regard to appellant no. 4 is dismissed as become infructuous.

So far other appellants are concerned, they seek regular bail in connection with SC/ST Chandramandih P.S. Case No. 01 of 2017, registered for offences punishable under Section 341, 323, 324, 325, 307, 504/34 of Indian Penal Code and Section



3(i)(x) of SC/ST Act.

Allegation against the appellants is of abusing the informant by caste name and also of assaulting him.

It has been submitted on behalf of the appellants that only general and omnibus allegation has been levelled against the appellants for which they have sufficiently been punished as they have been in judicial custody since 01.05.2017.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation and period of custody, this appeal is allowed and impugned order is set aside. Let the appellants 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 A.D.J -1st, Jamui, in connection with Chandramandih P.S. Case No. 01 of 2017, subject to the following conditions:-

- (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 will not induce any witness or tamper with the evidence.



(iii) The appellants shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution will free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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