

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1310 of 2017

Arising Out of PS.Case No. -5 Year- 2016 Thana -PIPRA District- PATNA

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1. Ranjit Kumar Pal @ Bablu Son of late Ram Bath Pal.
2. Sonu Kumar, Son of Binesar Yadav. Both Resident of Village- Dhanki,
P.S. Punpun, District Patna.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ganesh Prasad Yadav, Adv.
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 30-06-2017 Heard learned counsel for the appellants and learned
Special P.P.

This appeal has been filed for setting aside the order dated 20.3.2017 passed by Special Judge, SC/ST Act, Patna in B.P. No. 362 of 2017, arising out of Pipra P.S.Case No. 5 of 2016 registered for the offences under Sections 364, 302, 379/34 of the Indian Penal Code and 3(ii)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for grant of bail.

Appellants are not named in the FIR and their names transpired during course of investigation.

It has been submitted on behalf of the appellants that though some paragraphs of the case diary have been referred in the impugned order but appellants have not been named in the same



and later on, in paragraph-64 of the case diary brother of the deceased has come after two months and he has disclosed the name of the appellants, who is not an eye-witness and he has named the appellants only on suspicion and appellants are in jail since 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, this appeal is allowed and the impugned order is set aside.

Let the appellants, named above, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of A.D.J.-cum-Special Judge, SC/ST Act, Patna in connection with Pipra P.S. Case No. 5 of 2016.

(Vinod Kumar Sinha, J)

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