

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1783 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -BIHRA District- SAHARSA

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1. Prabhash Kumar Singh @ Ajay Singh Son of Sri Kameshwar Prasad Singh
2. Naveen Singh Son of Ramchandra Singh
3. Shyam Kishor Singh Son of Shailendra Singh
4. Pankaj Kumar Singh@ Murari @ Muari Singh Son of late Parshuram Singh
5. Ramchandra Singh Son of late Sarv Narayanf Singh all are resident of Village- Panchgachhiya, P.S. Bihra, District Saharsa.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. D.K. Sinha, Sr. Adv.
: Mr. Pramod Mishra, Adv.
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.
For the Informant : Mr. Anuj Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-07-2017 The appellants seek regular bail in connection with Bihra P.S. Case No. 15 of 2017, registered for offences punishable under Section 147, 148, 149, 341323, 354, 427, 504 of the Indian Penal Code and Section 3(i)(x) of SC/ST (POA) Act.

Allegation against the appellants that they abused the informant and other family members. It is further alleged that some of the accused persons tried to outrage the modesty of the lady members of the family of informant.

It has been submitted on behalf of the appellants that appellants have falsely been implicated in this case on account of



previous dispute. Appellants have also filed a case against the informant and others and so far criminal antecedents of the appellants are concerned, all the cases have been lodged by the informant, his family members and their supporters. Further appellants are in custody since 30.03.2017.

Heard learned Special P.P. as well as learned counsel for the informant. They have opposed the prayer for bail.

Having heard both sides, considering the fact there is case and counter case between the parties and further there is allegation of assault, however, none has received any grievous injury and appellants are in judicial custody since 30.03.2017, as such, 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 1st Additional Sessions Judge-cum- Special Judge, Saharsa, in connection with Bihra P.S. Case No. 15 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 be free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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