

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2718 of 2017

Arising Out of PS.Case No. -93 Year- 2017 Thana -FALKAHA District- KATIHAR

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Md. Mukhtar, son of Late Md. Allauddin, R/o Village- Islampur, Bhariya,
P.S.- Falka, Distt.- Katihar.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Amresh Kumar Sinha

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 08-11-2017 Heard learned counsel for the appellant.

This appeal has been filed for grant of bail in connection with Falka P.S. Case No. 93 of 2017 registered for the offences punishable under Sections 302, 201/34 of the Indian Penal Code and 3(ii)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 19.7.2017 passed by Additional Sessions Judge-I-cum-Special Judge, Katihar.

Appellant is not named in the FIR and later on his name transpires at the instance of husband of deceased during course of investigation.

Submission of learned counsel for the appellant is that except suspicion that appellant has made a call to the deceased, there is absolutely nothing against him and he is in custody since 29.4.2017.

Heard learned Special P.P.



Having heard both sides and in the facts and circumstances of the case, this appeal is allowed and the impugned order is set aside.

Let appellant, above named, be released 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 Additional Sessions Judge-I-cum-Special Judge, Katihar, in connection with Falka P.S.Case No.93 of 2017, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immovable properties in the jurisdiction of court concerned,
- (2) Appellant shall co-operate in trial and appear on each and every date and on failure to appear on two consecutive dates without any genuine ground or without permission of court, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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