

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2369 of 2017

Arising Out of PS.Case No. -120 Year- 2017 Thana -CHAUSA District- MADHEPURA

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1. Md. Mokid Khan, Son of late Md. Amjad Khan @ Late Md. Amajad Khan.
 2. Nurdi Khan @ Nuruddin Khan, Son of Domi Khan.
 3. Hagna Khan Son of Luto Khan.
 4. Saddam Khan, son of Mokid Khan.
 5. Tosobar Khan, Son Mokid Khan. All resident of Village- Fulout East, P.S.- Chausa (Fulout), District- Madhepura.

.... Appellants/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellants/s : Mr. Praveen Kumar Agrawal

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 12-09-2017 The appellants seek regular bail in connection with Chausa (Fulaut) P.S. Case No. 120 of 2017, registered for offences punishable under Sections 341, 323, 307, 379, 427, 504, 506/34 of the Indian Penal Code, and Section 3(s)(x) of SC/ST (POA) Act.

Allegation against the appellants is of assaulting the informant causing injury to him.

It has been submitted on behalf of the appellants that only general and omnibus allegation has been levelled against appellant nos. 1 to 4 and though so far appellant no. 5, is concerned it is alleged that he assaulted the informant by means of garasa, which



hit his ear, however, the injury caused to him was found to be simple in nature. Further appellants have been in judicial custody since 19.07.2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the facts as stated above, 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 Special Judge, SC/ST Act, Madhepura, in connection with Chausa (Fulaut) P.S. Case No. 120 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 is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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