

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2745 of 2017

Arising Out of PS.Case No. -36 Year- 2017 Thana -KHIJARSARAI District- GAYA

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Basant Prasad, son of Basudeo Mahto, resident of village Baliyari, P.S.
Khizersarai, District Gaya

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Akhileshwar Dayal

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-09-2017 Heard learned counsel for the appellant and learned
Special P.P. for the State.

This appeal has been filed for grant of bail in connection with Khizersarai P.S.Case No. 36 of 2017 registered for the offences punishable under Sections 341, 323, 504, 509, 307/34 of the Indian Penal Code and 3(2)(r)(s) of SC/ST Act and for setting aside the order dated 24.8.2017 passed by Special Judge, SC/ST Act, Gaya.

Allegation against the appellant is of assaulting the informant by rod causing injury to his nose.

Submission of learned counsel for the appellant is that the injury is simple in nature and other co-accused persons have been granted by this Court vide orders as contained in Annexure-4 Series.

Learned Special P.P., who has opposed the prayer for bail



on the ground that there is specific allegation against the appellant.

Having heard both sides and in view of facts and circumstances and also considering the nature of injury, the 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 the Special Judge, SC/ST Act, Gaya, in connection with Khizersarai P.S. Case No. 36 of 2017, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of the court concerned,
- (2) Appellant will co-operate in trial and appear before the court on each and every date, failing which his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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