

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.2375 of 2017**

Arising Out of PS.Case No. -49 Year- 2016 Thana -LAXMIPUR District- JAMUI

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Santosh Bind, son of Anil Bind, Resident of Village- Barmaniya, P.S.-  
Laxmipur, District- Jamui.

.... .... Appellant

Versus

The State of Bihar

.... .... Respondent

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**Appearance :**

For the Appellant/s : Mr. Ajit Kumar

For the Respondent/s : Mr. Zeyaul Hoda

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

4      06-11-2017                      Heard learned counsel for the appellant.

This appeal has been filed for grant of bail in connection with Laxmipur P.S. Case No. 49 of 2016, registered for the offences punishable under Sections 452, 354, 307 of the Indian Penal Code, 25(1-B)(a), 27 of the Arms Act, 3/4 of POCSO Act and 3(i)(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 12.7.2017 passed by Additional District Judge-I, Jamui.

Allegation as per FIR is that appellant has fired on the injured causing injury to him.

Submission of learned counsel for the appellant is that though there is allegation of firing against him but there is statement of victim, which has been recorded during course of investigation, which shows that he has alleged that firing was made by co-accused and not the appellant and he is in custody since 7.6.2017.

Heard learned Special P.P. also.



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 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 District Judge-I, Jamui, in connection with Laxmipur P.S.Case No. 49 of 2016, subject to the conditions as follows :

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) Appellant will co-operate in trial and appear on each and every date in court 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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