

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2773 of 2017

Arising Out of PS.Case No. -207 Year- 2017 Thana -MASRAKH District- SARAN

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1. Krishna Mahato, S/o Rajgir Mahato, Resident of Village- Chainpur
Chamaria, P.O.- Nawada, P.S.- Masherak, District- Saran at Chapra.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prakash Chandra Jha

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-11-2017 Heard the parties.

The appellant seeks regular bail in connection with
Mashrakh P.S.Case No.207 of 2017 registered for offences
punishable under Section 354, 341, 323, 504/34 of the Indian
Penal Code and Section 3(x) (i)®(w) of SC/ST (Prevention of
Atrocities Act) Act.

Allegation against the appellant is of catching hold
hands of the informant.

Submission of the learned counsel for the appellant is
that there is case and counter case between the parties and except
that there is no other allegation. The appellant is in custody for
three months.

Heard learned Special P.P. also.



Having heard both sides in view of the above facts and circumstances, this appeal is allowed.

Let the appellant above named, be released on bail on furnishing bail bonds of Rs.25,000 (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, SC/ST (POA) Act, Chapra in connection with Mashrakh P.S.Case No.207 of 2017 after setting aside order dated 19.08.2017 passed by the learned Special Judge, SC/ST (POA) Act, Chapra in Mashrakh P.S.Case No.207 of 2017 subject to the following conditions:-

- (i) One of the bailors of the appellant shall be local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall co-operate in the disposal of trial and make himself available as and when required by the court concerned and on the event of failure on his 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 his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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