

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2739 of 2017

Arising Out of PS.Case No. -95 Year- 2017 Thana -BIBHUTIPUR District- SAMASTIPUR

=====

Pintu Kumar, son of Naresh Mahto @ Naresh Mahto, resident of village
Bibhutipur, P.S. Bibhutipur, District Samastipur

.... Appellant

Versus

The State of Bihar

.... Respondent

=====

Appearance :

For the Appellant/s : Mr. Jitendra Kumar Pandey

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

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 19-09-2017 Heard learned counsel for the appellant and learned
Special P.P. for the State.

This appeal has been filed for grant of pre-arrest bail in connection with Bibhutipur P.S.Case No. 95 of 2017 registered for the offences punishable under Sections 147, 148, 447, 448, 341, 323, 325, 452, 354, 379, 380 of the Indian Penal Code and 3(1)(r)(s)(w) of SC/ST Act, including 3/4 of Dayan Act and for setting aside the order dated 20.7.2017 passed by Special Court, SC/ST Act, Gaya.

Allegation as per FIR is that accused persons have abused the informant by taking his caste name and also assaulted him and torn sari of his mother.

Submission of learned counsel for the appellant is that there is general and omnibus allegation against all the accused



persons and nothing specific has been attributed against the appellant. Further submission is that co-accused persons have been granted pre-arrest bail by this Court in Cr.Appeal(SJ) No. 2074 of 2017, vide order dated 19.7.2017.

Learned Special P.P. could not controvert the above submission.

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

Let appellant, above named, surrender within four weeks and on his surrender he shall 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, Samastipur, in connection with Bibhutipur P.S. Case No. 95 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the following conditions :-

- (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 investigation



of the case and will appear before the
Investigating Officer as and when required,
failing which the prosecution will be at
liberty to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

