

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33894 of 2017

Arising Out of PS.Case No. -53 Year- 2017 Thana -SABOUR District- BHAGALPUR

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1. Bajrangi Thakur Son of Babulal Thakur Resident of Village- Fajilpur,
P.S. - Sabour (Goradih), Distt- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya

For the Opposite Party/s : Mr. Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-08-2017 The petitioner seeks regular bail in connection with Sabour (Goradih) P.S. Case No. 53 of 2017, registered for offences punishable under Sections 147, 149, 341, 323, 342, 354(A), 354 (B), 355, 307, 504, 506 and 509 of the Indian Penal Code and Section 3(iii)(xi) of SC/ST (POA) Act.

Prosecution story is that informant of this case has gone to purchase vegetables and mid way Ranjit Paswan and Raja paswan met her and after watching the dance programme in the village Ranjit Paswan and Raja Paswan slept in the house of informant and, thereafter, the elder brother in law of the informant along with several other persons on the suspicion that she has illicit relationship with those persons, came to her house and assaulted them and the allegation against the petitioner that he tied



the hands of Ranjit Paswan and the informant and shaved their heads and eye brow and, thereafter, a garland of shoe was put in their necks and they were paraded in the village.

It appears in this case earlier case was lodged under Section 354B and other sections of Indian Penal Code along with Section 3(iii)(xi) of SC/ST (POA) Act but surprisingly enough, the allegation under the above mentioned section of SC/ST (POA) has been dropped.

Submission of learned counsel for the petitioner is that petitioner only happens to be the barber and has nothing to do with the alleged offence. Further he has been in judicial custody for five months.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 7th A.D.J., Bhagalpur, in connection with Sabour (Goradih) P.S. Case No. 53 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the



concerned Court.

- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court 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 is free to move for cancellation of his bail.

Let a copy of this order be communicated to the District Judge, Bhagalpur to find out as to why cognizance has not been taken under the above mentioned Section of SC/ST (POA) Act.

(Vinod Kumar Sinha, J)

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