

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1988 of 2017

Arising Out of PS.Case No. -42 Year- 2014 Thana -PUSA District- SAMASTIPUR

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Ghuran Rai @ Shiv Shankar Sharma @ Ghuran Son of Ram Naresh Rai @
Ram Naresh Rai Sharma resident of village - Malikaur, P.S. - Pusa, District
- Samastipur.

.... Appellant

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Ranjan Kumar

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 09-08-2017 Heard learned counsel for the appellant and learned
Special P.P.

This appeal has been filed for setting aside the order dated 24.5.2017 passed by Special Judge, Samastipur, by which prayer for bail of the appellant has been rejected in Pusa P.S.case No. 42 of 2014 registered under Sections 147, 148, 149, 353, 307, 379 and other sections of the Indian Penal Code and 3(1)(x), 3(i)(D) & 3(i)(iii) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for grant of bail to the appellant.

Allegation as per FIR is against the appellant and other accused persons of assaulting the informant and others.

It has been submitted on behalf of the appellant that



he is simply a member of mob and nothing specific has been attributed to him and he is in custody for more than three months and other co-accused persons have been granted bail by this Court as contained in Annexure-2 to this appeal.

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

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

Let the appellant, named above, be enlarged 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 Special Judge, Samastipur, in connection with Pusa P.S.Case No. 42 of 2014, Trial No. 524 of 2017, subject to the following conditions :-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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