

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2994 of 2017

Arising Out of PS.Case No. -59 Year- 2016 Thana -SIDHWALIA District- GOPALGANJ

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Harendra Mahto S/o Madan Mahto, R/o Village- Kabiraj Tola, Bucheya,
P.S.- Sidhwaliya, District- Gopalganj.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Jeetendra Narayan
For the Respondent/s : Mr. Sadanand Paswan
For the Informant : Mr. Javed Aslam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-11-2017 Heard learned counsel for the appellant.

This appeal has been filed for grant of bail in connection with Sidhwaliya P.S.Case No. 59 of 2016 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and 3(ii)(v and 3(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for setting aside the impugned order dated 12.9.2017 passed by Additional Sessions Judge-I-cum-Special Judge, Gopalganj.

Allegation against the appellant, as per FIR, is that when the son of informant went to demand the wages the appellant along with other accused persons has assaulted him by fists and slaps, due to which he later on died.

Submission of learned counsel for the appellant that there



is general and omnibus allegation and no specific allegation is attributed against him and appellant is in custody since 7.4.2017.

Heard learned Special P.P.

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

Let 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 the Additional Sessions Judge-I-cum-Special Judge, Gopalganj, in connection with Sidhwalia P.S.Case No. 59 of 2016, G.R.No. 2319 of 2017, subject to the following conditions :-

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

(Vinod Kumar Sinha, J)

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