

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3196 of 2017

Arising Out of PS.Case No. -168 Year- 2017 Thana -ITADHI District- BUXAR

=====

Rajan Mahto

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Bhaskar Shankar

For the Respondent/s : Mr. Sri Sadanand Paswan

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-11-2017

Heard the parties.

The appellant seeks regular bail in connection with SC/ST Case No.260/2017 (Itarhi) P.S.Case No.168 of 2017, registered for offences punishable under Sections 302/34 of the Indian Penal Code and Section 3(1)(x) of SC/ST (Prevention of Atrocities Act) Act.

Allegation against the appellant as per FIR is of threatening the deceased and thereafter his dead body was recovered after a day.

Submission of the learned counsel for the appellant is that except the above fact, nothing has come against the appellant and the charge-sheet has been submitted. He is in custody for three months.

Heard learned Special P.P. also, who has opposed the prayer for bail, however, he could not point out any other incriminating articles against the appellant.



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 the learned Addl. Sessions Judge-I, Buxar in connection with SC/ST Case No.260 of 2017 (arising out of Itarhui P.S.Case No.1`68 of 2017) after setting aside order dated 7.9.2017 passed by the learned Addl. Sessions Judge-I, Buxar in SC/St Case No.260 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)

chn/-

U		T	
---	--	---	--

