

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1749 of 2017

Arising Out of PS.Case No. -274 Year- 2015 Thana -BHAGWAN BAZAR District- SARAN

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Raj Kumar @ Gabbar

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shashi Shekhar Tiwary

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 18-08-2017 The appellant seeks regular bail in connection with Bhagwan Bazar P.S. Case No. 274 of 2015, registered for offences punishable under Section 302(B),201/34 of Indian Penal Code and Section 3(2)(V) of SC/ST Act.

Allegation against the appellant is of causing death of the deceased.

It has been submitted on behalf of the appellant that he has not been named in the F.I.R, his name transpired in this case during the course of investigation only on the basis of suspicion. Further other accused persons have already been granted the privilege of anticipatory bail vide order dated 11.04.2016 passed in Criminal Miscellaneous No. 3393 of 2016 and the case of the appellant is similar to those, who have been granted bail. Further he has been in custody for last four months.



Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case and as other two co-accused persons have already been granted the privilege of anticipatory bail, this appeal is allowed and impugned order is set aside. Let the appellant 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 1st Additional Sessions Judge, Chapra, in connection with Bhagwan Bazar P.S. Case No. 274 of 2015, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a 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 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 bonds.

(Vinod Kumar Sinha, J)

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