

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2258 of 2017

Arising Out of PS.Case No. -258 Year- 2017 Thana -SIKARPUR District- WESTCHAMPARAN
(BETTIAH)

- =====
1. Jeetendra Kumar Mishra, Son of Late Pawan Mishra,
 2. Jhunnu Rao Son of Late Raj Bahadur Rao,
 3. Pintu Rao Son of Late Raj Bahadur Rao, All are R/o Village-
Brijbaniya, P.S.- Chanpatiya (Sirisiya), O.P., District- West Champaran.
- Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellants : Mr. Rama Kant Sharma, Sr. Advocate
Mr. Sanjay Kumar No.7, Advocate
Mr. Anand Kumar Mishra, Advocate
For the State : Mr. Binay Krishna, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-09-2017 Heard learned counsel for the appellants and learned
Special P.P. for the State.

This appeal has been filed for grant of regular bail in connection with Shikarpur P.S. Case No.258 of 2017 registered for the offences punishable under Sections 147, 148, 149, 323, 307, 436, 435, 379 and 504 of the Indian Penal Code and 3(i)(x)(xi) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act as well as Section 27 of the Arms Act and for setting aside the order dated 17.07.2017 passed by learned 1st Additional District & Sessions Judge-cum-Special Judge, West Champaran at Bettiah in Regular Bail Petition No.1125 of 2017.

Allegation against the appellants and other persons is



of reaching at the place of occurrence on a vehicle and further allegation against the appellants and other accused persons is of making indiscriminate firing causing injury on the leg of several persons.

Submission of learned counsel for the appellants is that there is no specific allegation attributed against any of the appellants and the allegation of firing is general and omnibus. Further the impugned order shows that there is recovery of only one double barrel gun with 12 pieces of live cartridges and 6 pieces of empty cartridges.

Heard the learned Special P.P. also who has opposed the prayer of bail.

Having heard both sides and in view of the facts and circumstances, this appeal is allowed.

Let appellants, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional District & Sessions Judge-cum-Special Judge, West Champaran at Bettiah, in connection with Shikarpur P.S. Case No.258 of 2017, after setting aside order dated 17.07.2017, passed in Regular Bail Petition No.1125 of 2017, arising out of Shikarpur P.S. Case No.258 of 2017 by



learned 1st Additional District & Sessions Judge-cum-Special
Judge, West Champaran at Bettiah, and further conditions that:-

- (1) One of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of the court concerned,
- (2) Appellant will co-operate in investigation of the case, failing which her bail bond shall be cancelled.

With the above observation, this appeal is allowed.

(Vinod Kumar Sinha, J.)

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