

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2900 of 2017

Arising Out of PS.Case No. -161 Year- 2017 Thana -KATEYA District- GOPALGANJ

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Mahattam Sharma S/o Late Ram Shakal @ Sakal Sharma, R/o Vill.-
Nehruwa Khurd, P.S.- Katiya , District- Gopalganj.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Mohammad Sufyan

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 23-11-2017 The appellant seeks regular bail in connection with

Kateya P.S. Case No. 161 of 2017, registered for the offences

punishable under Sections 341, 323, 307, 504 and 34 of the Indian

Penal Code and under Sections 3(i)(x) of the SC/ST (Prevention of

Atrocities) Act, 2015.

Allegation against this appellant and others of assault

the informant and his wife. It appears that there is specific

allegation against the appellant and two other ladies of assaulting

by rod on the head of the wife of the informant.

It has been submitted on behalf of the appellant that

the injuries are simple in nature and no specific allegation has

been attributed against him. There is allegation of assault to the

wife of the informant against three accused persons by rod. The

appellant is in custody for three months.

Heard learned Special PP also.



Having heard both sides, in view of the facts as stated above, 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 Additional District & Sessions Judge-cum-Special Judge, Gopalganj in Tr. No. 358 of 2017 arising out of Kateya P.S. Case No. 161 of 2017, 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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