

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3215 of 2017

Arising Out of PS.Case No. -368 Year- 2016 Thana -DHANARUA District- PATNA

- =====
1. Ashu Kumar @ Barku Kumar @ Barku
 2. Bashu Rendra Kumar @ Golu Kumar @ Bashu Kumar @ Golu, both son of Arun Singh, Resident of Village – Tetri, P.S. – Dhanarua, District – Patna.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pramod Kumar Singh

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-11-2017 The appellants are apprehending their arrest in connection with Dhanarua P.S. Case No. 368 of 2016, registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code and under Sections 3(1)(x) of the SC/ST Act.

Allegation against the appellants is of abusing the informant.

It has been submitted on behalf of the appellants that no allegation of abusing by caste name is made rather general allegation of assaulting the informant is made against them. There is case and counter case and the appellants have falsely been implicated in the case.

Heard learned Special PP also.

Having heard both sides, considering the facts and



circumstances of the case, nature of offence and also that appellants have no criminal antecedent and only general and omnibus allegation has been leveled against them, as such, this appeal is allowed and impugned order is set aside, let the appellants above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge SC/ST Act, Patna in connection with Dhanarua P.S. Case No. 368 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) One of the bailors of the appellants shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(ii) The appellants shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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