

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2752 of 2017

Arising Out of PS.Case No. -155 Year- 2010 Thana -WARISNAGAR District- SAMASTIPUR

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1. Awadhesh Prasad, Son of Ganauri Mahto, R/o Village- Satmalpur, P.S.- Warisnagar, District- Samastipur.
 2. Arjun Ram Son of Bhutta Ram, R/o Village- Paroria, P.S.- Warisnagar, District- Samastipur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhola Kumar

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-11-2017 Heard the parties.

The appellants seek pre arrest bail in Warisnagar P.S. Case No.155 of 2010 registered for the offence under Sections 419, 420, 467, 468, 471 of the I.P.C. and Section 3 (x) of the SC/ST (POA) Act.

Allegation against the appellants is that in collusion with the other accused persons withdrew Rs.85,500/- from the Account of son of the informant.

Submission of the learned counsel for the appellants is that after investigation the case has been found true and final form has been submitted but later on cognizance has been taken in this case. So far offence under SC/ST(POA) Act is concerned,



there is no allegation against the Branch Manager.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, the appeal is allowed. Let the appellants, above named, in the event of arrest or surrender before the court below within six weeks from today be enlarged on bail on furnishing bail bonds of Rs.25,000/-each with two sureties of the like amount each to the satisfaction of Special Judge SC/ST Act, Samastipur, in Warisnagar P.S. Case No.155 of 2010 subject to the conditions that (1) one of the bailors of the appellants shall be a local person having sufficient immovable property within the jurisdiction of the concerned court. (2) The appellants will not induce any witness or tamper with the evidence. (3) The appellants shall co-operate in disposal of trial and make themselves available as and when required by the court. In the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

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