

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3056 of 2018

Arising Out of PS. Case No.-125 Year-2017 Thana- AMARPUR District- Banka

Sanjiv Panjiyara, Son of Late Jagdish Panjiyara, Resident of Village-
Nagardih, P.S.- Fullidumar, District- Banka.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjay Kumar Jha
For the Respondent/s : Mr.Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 09-01-2019 Heard the parties.

The appellant is seeking bail in connection with G.R.No.887 of 2017 arising out of Amarpur (Fullidumar) P.S.Case No.125 of 2017 , registered for offences punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2)(v) of S.C./S.T. Prevention of Atrocities Act.

Allegation against the appellant is that he along with the other co-accused persons came variously arm and made firing on the younger brother of the informant.

Earlier the prayer for bail of the appellant was rejected vide order dated 21.11.2017 passed in Cr. Appeal No2832 of 2017 (S.J.).

Submission of the learned counsel for the appellant is that



during the investigation, the witnesses in para 45 and other paragraphs have categorically stated that it is Santosh Panjiyara who has fired and not named appellant as the assailant. The appellant is in custody since 8.5.2017 and further though the charge has been framed in this case but no witnesses have been examined, which will appear from the fact available on the record.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, this appeal is allowed and the impugned order is set aside and the appellant is directed to be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I-cum-Special Judge, Banka in connection with G.R. No.887 of 2017 arising out of Amarpur (Fullidumar) P.S.Case No.125 of 2017.

(Vinod Kumar Sinha, J)

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