

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4633 of 2019

Arising Out of PS. Case No.-231 Year-2019 Thana- BANIAPUR District- Saran

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Dharmendra Ram, Son of Moti Lal Ram, Resident of Village- Pithouri Nand
Lal Tola, P.S.- Baniyapur, District- Saran at Chapra.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Dewendra Narayan Singh, Advocate
For the Respondent/s : Mr. Binay Krishna, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-12-2019 This appeal has been filed for grant of bail in connection with Baniyapur P. S. Case No. 231 of 2019 disclosing offences under Sections 147, 148, 149, 341, 323, 302, 504, 506 of the IPC and Sections 3(i)(s) of the SC/ST Act as well as for setting aside the order dated 18.09.2019 passed by the learned Additional District & Sessions Judge-I-cum- Special Judge, SC/ST (Prevention of Atrocities) Act.

As per F.I.R. appellant is not named in the F.I.R. Several accused persons are named, who have assaulted the deceased, causing his death. It appears that during the investigation, the name of the appellant transpires.

Submission of the learned counsel for the appellant is that during the investigation his name transpires on the basis of the statement of a witness and that too he along with other accused persons are named without any specific allegation. He



is custody for more than four months. Charge sheet has already been submitted. He is ready to abide by any condition imposed on him.

Heard learned Special P.P. also.

Having heard both sides, considering the above submissions, this appeal is allowed. The impugned order dated 18.09.2019 passed by the learned Additional District & Sessions Judge-I-cum- Special Judge, SC/ST (Prevention of Atrocities) Act, is set aside.

Let the appellant, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Additional District & Sessions Judge-I-cum- Special Judge, SC/ST (Prevention of Atrocities) Act, in connection with Baniyapur P. S. Case No. 231 of 2019.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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