

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4994 of 2019

Arising Out of PS. Case No.-157 Year-2019 Thana- AMDABAD District- Katihar

Md. Sajjad S/o Md. Karim, Resident of Village- Lal Bathani, Sabji Tola, P.S.-
Amdabad, District- Katihar.

... .. Appellant

Versus

The State of Bihar.

... .. Respondent

Appearance :

For the Appellant/s : Mr.Bhola Prasad, Advocate
For the Respondent/s : Mr.Usha Kumari 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 16-12-2019 Heard learned counsel for the appellant and learned
Spl.P.P. for the State.

Appellant, in the present appeal, are challenging the order dated 01.10.2019 passed in connection with Amdabad P.S. Case No. 157 of 2019 corresponding to G.R. No. 4205 of 2019 registered under Sections 323, 341, 385, 506 of the Indian Penal Code and Sections 3(i)(r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

By the impugned order the prayer for bail of the appellant has been rejected by the learned 1st Additional Sessions Judge-cum-Special Judge, Katihar.

Learned counsel for the appellant submits that the informant is Fair Price Shop dealer and as the appellant had some grievance against him in the matter of distribution of food-



grains, the appellant has falsely been involved in this case. It is further submitted that appellant has remained in custody since 24.09.2019 and no case under Section 307 IPC has been found against the appellant.

Learned Spl.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case, wherein it is the submission of learned counsel for the appellant that the informant is Fair Price Shop dealer and as the appellant had some grievance against him in the matter of distribution of food-grains, the appellant has falsely been involved in this case and further submission that the appellant has remained in custody since 24.09.2019 and no case under Section 307 IPC has been found against the appellant, the investigation is complete and charge-sheet filed, the impugned order dated 01.10.2019 insofar as it relates to appellant is hereby set aside and let the appellant above named be released on bail in connection with Amdabad P.S. Case No. 157 of 2019 corresponding to G.R. No. 4205 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, Katihar, subject to the



condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

vats/ved

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