



Learned counsel for the appellants while referring to evidence of P.W.-5, informant, submitted that there is omnibus allegation levelled against the appellants for assaulting him by means of lathi and P.W.-2, who has also received injury levelled omnibus allegation against these appellants. It is further submitted that the doctor, who has examined the injured persons, has not been examined and the injury reports of the injured persons, which are substantial evidence, have not been proved in absence of non-examination of doctor. It is further submitted that appellants are in custody since 25.02.2019 and during pre-trial, the appellants were in custody for three months. It is further submitted that there is previous dispute between the parties.

On the other hand, learned counsel for the informant opposed the prayer for bail of the appellants and submitted that the appellants are in custody, but the informant party is being given threatening of dire consequences by the appellants, for which a *sanha* has also been instituted.

After hearing the parties and taking into account the fact that the doctor has not been examined, I am inclined to admit the appellants on bail after suspending the order of sentence during pendency of the appeal. The appellants are directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Chatra, in connection with S.T. No. 303 of 2013 (Itkhor P.S. Case No. 36/2012; G.R. No. 370/2012), subject to the following conditions:-

- (i) On the date of furnishing bail bonds, appellants shall furnish photocopy of their Aadhar Cards and cell numbers before the trial court.
- (ii) Appellants shall deposit 50% of the fine amount before the trial court within four weeks after their release from the judicial custody.
- (iii) Appellants shall deposit Rs. 1,500/- each by way of cost in the account of **Bandi Kalyan Kosh, Birsa Munda Central Jail, Hotwar, Ranchi** being **A/C No. 490710210000007, Bank of India, Branch-Booty More, Customer ID-103610460, IFSC Code No. BKID0004907** and will submit a receipt of the aforesaid deposition before the trial court at the time of furnishing bail bonds.

(iv) During pendency of the appeal, the appellants are directed to appear before the concerned police station once in every two months.

(v) Appellants shall not intimidate, threat or coerce the informant and if they are found indulging in such type of acts, the informant is at liberty to file an application for cancellation of the bail of the appellants.

I.A. No. 2824 of 2019 stands allowed.

Let a copy of order be sent to the trial court and Sr. Superintendent of Police, Chatra and also handed over learned counsel for the parties.

**(Anant Bijay Singh, J.)**

Sunil/