

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.259 of 2017

Arising Out of PS.Case No. -159 Year- 2016 Thana -ROSHANGAANJ District- GAYA

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1. Chandradeo Yadav, Son of Akal Yadav,
2. Bilash Yadav, Son of Chandradeo Yadav,
3. Matan Yadav, son of Chanderdeo Yadav,
4. Sipahi Yadav, Son of Late Lakhon Yadav.
All Residents of Village: Sidhipur, Police Station: Bankey Bazar, District -
Gaya.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance:

For the Appellant/s : Mr. Rabindra Kumar Priyadarshi, Adv.

For the Respondent/s : Mr. Sri Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 28-03-2017 Heard learned counsel for the appellants as well as
learned Special Public Prosecutor assisted by learned counsel for the
informant.

From the written report itself it is apparent that land
dispute is pending before a competent court and in the aforesaid
background, it has been alleged that all the accused persons including
the appellant came over the land and began to cut paddy crop. At that
very moment, they were challenging the prosecution party by calling
them with caste name. Furthermore, they were also armed with
respective weapons. When informant Raghunandan Choudhary came
out and resisted the illegal activity, Chandradeo Yadav caught hold
while Sipahi Yadav gave *garasi* blow over his head. His nephew
Ashok Chaudhary was assaulted with iron rod by Matan Yadav.
Furthermore, Birendra Chaudhary, Pairu Chaudhary, Ashok
Chaudhary have also been assaulted.

From the order impugned, it is evident that learned lower
court had gone through the case diary, injury report but, there



happens to be complete silence over nature of the injury. In the aforesaid background as well as considering the period of custody since 17.11.2016, appellants Chandradeo Yadav, Bilash Yadav, Matan Yadav, Sipahi Yadav each are directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned Exclusive Special Court (Special Judge), SC/ST, Gaya in connection with Raushanganj (Bankey Bazar) P.S. Case No.159/2016, after setting aside the order dated 09.11.2016 passed by Exclusive Special Court (Special Judge), SC/ST, Gaya in connection with Raushanganj (Bankey Bazar) P.S. Case No.159/2016. Consequent thereupon, appeal is allowed.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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