

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1236 of 2017

Arising Out of PS.Case No. -361 Year- 2016 Thana -GAYA MUFFSIL District- GAYA

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1. Pravesh Yadav @ Ram Pravesh Yadav, son of Rupan Yadav,
2. Mohan Yadav, son of Tulsi Yadav, Both appellant No.1 and 2 are
resident of Village- Saraiya, P.S.- Mofassil, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shailesh Kumar

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-05-2017 Heard the parties.

The appellants seek regular bail in connection with Mofassil P.S.Case No.361 of 2016, registered for the offences punishable under Sections 447, 341, 323, 427, 354 and 34 of the Indian Penal Code and Section 3 (i)(X) of the S.C./S.T. Act.

Allegation against the appellants is that their cattle came inside the field of the informant and damaged the crops. There is allegation that they assaulted the informant and his family members and thrashed the wife of the informant on the ground, due to which her dress torn.

It is submitted on behalf of the appellants that they have been falsely implicated in this case and only to make the case serious, the allegation under Section 354 of the I.P.C. has been lodged against the appellants and they are in custody since 13.2.2017.



Heard learned Special P.P., who has opposed the prayer for bail on the ground that in another case the charge-sheet has been submitted declaring them absconder, as such they do not deserve bail.

Having heard both sides and in view of submission of the learned counsel for the appellants, I am not inclined to grant bail to the appellant no.1 (Pravesh Yadav @ Ram Pravesh Yadav) at this stage and he may renew his prayer for bail after framing of charge in this case.

So far appellant no.2 (Mohan Yadav) is concerned, considering the fact that he is in custody for about two months, as such the appellant no.2 (Mohan Yadav) 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 Special Court (Special Judge) S.C./S.T., Gaya in Mofassil P.S.Case No.361 of 2016, after setting aside the order dated 23.2.2017 passed by the Special Court (Special Judge) S.C./S.T., Gaya.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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