

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2174 of 2017

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1. Ishwi Yadav, son of Late Bhajan Yadav,
2. Nirbali Yadav, son of Ramnand Yadav, Both residents of Village- Rupa
Bigha, P.S.- Hulasganj, District- Jehanabad.

.... Appellants

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Umesh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 31-07-2017 Heard learned counsel for the appellants and learned
Special P.P.

This appeal has been filed for setting aside the order dated 11.7.2017 passed by 1st Additional Sessions Judge, Jehanabad, in bail petition filed by the appellants in connection with Jehanabad SC/ST P.S. Case No. 09 of 2017 registered under Sections 147, 148, 347, 323, 504 of the Indian Penal Code and 3(2)(Va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for grant of bail to the appellants.

Allegation as per FIR against the appellants is of abusing the informant by taking his caste name.

It has been submitted on behalf of the appellants that as a matter of fact the informant has got parcha with respect to three acres of land but he tried to grab entire land of 8 acres and, as such, false and concocted case has been filed against the appellant, who is real owner of the land and he has given



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information to the higher authorities for enquiry and he is in custody for 25.6.2017.

Learned Special P.P. also, who could not controvert the above submission.

Having heard both sides and in view of facts and circumstances, as stated above, this appeal is allowed and the impugned order is set aside. Let the appellants, named above, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge, Jehanabad, in connection with Jehanabad SC/ST P.S.Case No. 09 of 2017, subject to the conditions that one of the bailors should be a local person having sufficient immoveable properties within the jurisdiction of the court concerned and the appellants will co-operate in disposal of trial and appear on each and every date in court, failing which their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

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