

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1425 of 2017

Arising Out of PS.Case No. -1 Year- 2017 Thana -SC/ST District- ARRARIA

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1. Vikash Yadav, S/o Ramdeo Yadav,
2. Subodh Yadav, S/o Late Sakaldeo Yadav, Both are residents of Village-
Raharia, P.S.- Bhargama, District- Araria.

.... Appellants

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Krishna Pd. Singh, Sr.Advocate

For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-07-2017 Heard learned counsel for the appellants.

This appeal has been filed against the order dated 3.4.2017 passed by 1st Additional Sessions Judge-cum-Special Judge, SC/ST (P.O.A.) Act, Araria in Special SC/ST (P.O.A.) Act Case no. 11 of 2017, arising out of SC/ST P.S.Case No. 01 of 2017 registered for the offences punishable under Sections 307, 354B, 379, 364, 324, 427, 448, 504, 506 of the Indian Penal Code and 3(1)(g)(s) (v) and 3(2)(v) of SC/ST Act and for grant of bail to the appellants.

Allegation as per FIR is that accused persons had gone for fishing in the point of the informant and when he protested they returned and on the next day accused persons named in the FIR, including the appellants came there variously



armed with fire arms and assaulted the informant and others and abused him by taking his caste name and one of the accused fired causing injury to some persons.

It has been submitted on behalf of the appellants that the land belongs to the appellants but the informant tried to capture the land and for that some altercation took place and there is general and omnibus allegation and nothing specific has been mentioned.

Heard learned Special P.P., who has opposed the prayer for bail of the appellants.

Having heard both sides and considering the aforesaid facts and circumstances, the appeal is allowed and the impugned order is set aside. Let the appellants, named above, be released 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 the 1st Additional Sessions Judge-cum-Special Judge, SC/ST (P.O.A.) Act, Araria, in connection with Special SC/ST (P.O.A.) Act Case No. 11 of 2017, arising out of Araria SC/ST P.S.case No. 01 of 2017, subject to the conditions that :-

- (i) One of the bailors of the appellants shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.



(ii) The appellants will not induce any witness or tamper with the evidence.

(iii) The appellants shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of their bail.

(Vinod Kumar Sinha, J)

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