

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1703 of 2017

Arising Out of PS.Case No. -58 Year- 2017 Thana -RAFIGANJ District- AURANGABAD

=====

1. Vinai Yadav @ Vinay Yadav,
2. Ajai Yadav @ Ajay Yadav, Both S/o Sita Ram Yadav,
3. Rakesh Yadav, S/o Bisunpat Yadav.
4. Upendra Yadav.
5. Anil Yadav, Both S/o Satnarayan Yadav.
6. Sunil Yadav, S/o Lalan Yadav, All R/o Village- Madipur, P.S. Rafiganj,
District- Aurangabad.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Dharendra Kumar Sinha

For the Respondent/s : Mr. Sadanand Paswan

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-07-2017 Heard the parties.

The appellants seek regular bail in connection with Rafiganj P.S.Case No.58 of 2017, registered for offences punishable under Sections 341, 323, 324, 307, 435, 504 & 34 of the Indian Penal Code and Section 3(1)® & 3 (1)®, 3 (1)(s) and 3 (2)(v) of SC/ST (Prevention of Atrocities Act) Act.

Allegation against the appellants and other accused persons is of assaulting the informant.

Submission of the learned counsel for the petitioner is that there is general and omnibus allegation of assault against them and the injuries are simple in nature. It is further submitted that they have no criminal antecedent. They are in custody for about three months.



Heard learned Special P.P. also as well as the learned counsel for the appellants. They have opposed the prayer for bail.

Having heard both sides in view of the above facts and circumstances, this appeal is allowed.

Let the appellant above named, 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 Additional Sessions Judge S.C./S.T. (Act) Aurangabad in connection with Rafiganj P.S.Case No.58 of 2017 of District- Aurangabad, after setting aside order dated 24.5.2017 passed by the learned Additional Sessions Judge S.C./S.T. (Act) Aurangabad in Rafiganj P.S.Case No.58 of 2017 (G.R.No.66 of 2017) of District- Aurangabad, subject to the following conditions:-

- (i) One of the bailors of the appellants shall be local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellants will not induce any witness or tamper with the evidence.
- (iii) The appellants shall co-operate in the disposal of trial and make themselves available as and when required by the court concerned and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of their bail bond.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

