

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2440 of 2017

Arising Out of PS.Case No. -106 Year- 2016 Thana -PURAINI District- MADHEPURA

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1. Shibo Yadav, Son of Late Laxmi Yadav,
2. Haldhar Yadav, Son of Late Laxmi Yadav, Both R/o Village- Laskari,
P.S.- Uda Kishunganj, District- Madhepura.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shekhar Kumar Singh

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 13-10-2017

Heard the parties.

The appellants seek regular bail in connection with Puraini P.S.Case no. 106 of 2016,registered for the offences punishable under Sections 147, 427 and 436 of the Indian Penal Code and Section 3 (1) (S) of SC/ST Act.

Allegation, as per FIR, against the appellants is that they along with other accused persons entered into the house of the informant and set on fire the house of the informant due to which cattles animals were burnt.

Submission of the learned counsel for the



appellants is that the informant is trying to grab the land of the appellants and as such the appellants have falsely been implicated in this case. There is no specific allegation against the appellants. There is general and omnibus allegation against them. The appellants are in jail custody for more than three months.

Heard learned Special P.P. also.

Having heard both sides in view of the above facts and circumstances, this appeal is allowed and order dated 18.07.2017 passed in H.A. Case No. 319 of 2017 by Special Judge, SC/ST Act, Madhepura is set aside.

Let the appellants above named be released on bail on furnishing bail bond of Rs.. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Special Judge, SC/ST Act, Madhepura in connection with H.A. Case No. 319 of 2017 arising out of Purani P.S. Case no. 106 of 2016, 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 appellant will not induce any witness or tamper with the evidence.

(iii) The appellants shall co-operate in the disposal of the trial and make himself available as and when required by the court concerned and on the event of failure on his 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 bonds.

(Vinod Kumar Sinha, J)

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