

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2204 of 2017

Arising Out of PS.Case No. -115 Year- 2017 Thana -MADANPURA District- AURANGABAD

- =====
1. Kundan Yadav son of Sri Jimdari Yadav
 2. Raja Yadav son of Bhagal Yadav
- Both are resident of village-Jamuniyan, PS-Madanpur, District-Aurangabad.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shailesh Kumar Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-08-2017 This appeal is for grant of regular bail in connection with Madanpur P.S. Case No. 115 of 2017 registered for the offence(s) under section(s) 341, 328, 307, 354, 379, 504, 506/34 of the Indian Penal Code and section 3 (i) (r) (s), 3 (w) (i), 3(2) (v) of the SC/ST (POA) Act.

Allegation against the appellants is of assaulting the informant and also abusing the informant by taking his caste name.

Submission of the learned counsel for the appellants is that no case is made out under section 307 of the Indian Penal Code and injuries are simple in nature and moreover the appellants are in custody for about 1 ½ months.

Heard learned Special Public Prosecutor.



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

Let the appellants, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Aurangabad-cum-Special Judge-I, Aurangabad. in connection with Madanpur P.S. Case No. 115 of 2017, subject to the following conditions:-

- (i) One of the bailors of the appellants shall be a 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 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 rhyme or reasons, the prosecution will have liberty to move for cancellation of their bail.

(Vinod Kumar Sinha, J)

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