

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1054 of 2016

Arising Out of PS.Case No. -7 Year- 2016 Thana -KOCH District- GAYA

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Sanjay Yadav, Son of Chandradev Yadav, Resident of Village- Dihuri,
Police Station- Konch, District- Gaya.

... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance:

For the Appellant/s : Mr. Manoj Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

3 22-02-2017 Heard learned counsel for the appellant as well as
learned Special Public Prosecutor.

On the ground of being the appellant to be sole assailant
of injured/informant prayer for bail of appellant has been rejected vide
order dated 08.09.2016 by the Special Judge (SC/ST), Gaya relating
to Konch P.S. Case No.07/2016 whereupon, instant appeal has been
preferred in terms of Section 14A(2) of the SC/ST (POA) Act.

Although the written report is silent over location of body
where appellant had aimed at however, from the injury report it is
evident that it was found over upper and outer thigh (antero-lateral
aspect) measuring ¼" x ¼" which, on account of fracture of shaft has
been found grievous. Appellant happens to be under custody since
01.08.2016 and further, carries no criminal antecedent since before
inception of the present case though subsequently, as incorporated
under para-3 has been made an accused in connection with Konch
P.S. Case No.07/2016.

Consequent thereupon, appellant Sanjay Yadav is
directed to be released on bail on furnishing bail bonds of Rs.10,000/-
(ten thousand) with two sureties of the like amount each, to the



satisfaction of learned Special Judge, SC/ST, Gaya in connection with
Konch P.S. Case No.07/2016 after setting aside the order impugned.
Consequent thereupon, appeal is allowed.

(Aditya Kumar Trivedi, J.)

Prakash Narayan

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