

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2760 of 2017

Arising Out of PS.Case No. -80 Year- 2017 Thana -JAMHORA District- AURANGABAD

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1. Ganesh Yadav son of Nithali Yadav
2. Mahendra Yadav
3. Sahendra Yadav 2 & 3 are both sons of Ganesh Yadav All are residents of Village - Bhuapur, P.S. - Jamhaur, District - Aurangabad.

.... Appellant/s

Versus

1. 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

3 09-11-2017

Heard the parties.

The appellants seek pre arrest bail in Jamhaur P.S.

Case No.80 of 2017 registered for the offence under Sections 341, 323, 504, 379/34 of the I.P.C. and Section 3(i) (r) /3 (ii) (VA) of SC/ST (POA).

Allegation against the appellants is of abusing the informant and also assaulting.

Submission of the learned counsel for the appellants is that there is case and counter case and due to land dispute firstly the appellants have lodged a case bearing Jamhaur P.S.Case No.79 of 2017 against the informant and the present case is the counter blast of the case filed by the



appellants.

Heard the learned Spl.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, the appeal is allowed. Let the appellants, above named, in the event of their arrest or surrender before the court below within six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- each with two sureties of the like amount each to the satisfaction of Special Judge SC/ST Act- cum-1st Additional Sessions Judge, Aurangabad, in Jamhaur P.S. Case No.80 of 2017 subject to the conditions that (1) one of the bailors of the appellants shall be a local person having sufficient immovable property within the jurisdiction of the concerned court. (2) The appellants will not induce any witness or tamper with the evidence. (3) The appellants shall co-operate in disposal of trial and make themselves available as and when required by the court. In the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reason, their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

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