

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2217 of 2017

Arising Out of PS.Case No. -4 Year- 2017 Thana -GHOSI District- JEHANABAD

- =====
1. Dhananjay Yadav, Son of Udesb Yadav,
 2. Ranjit Yadav, Son of Jaya Yadav,
 3. Chandrika Yadav @ Chandradeep Yadav Son of Sukhdev Yadav, All
R/o Village- Khiraunti, P.S.- Ghoshi, District- Jehanabad.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dronacharya

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-09-2017 Heard learned counsel for the appellants and learned
Special P.P. for the State.

This appeal has been filed for grant of pre-arrest bail in connection with Ghoshi P.S. Case No.04 of 2017 registered for the offences punishable under Sections 147, 148, 149, 323, 337, 504, 307 and 509 of the Indian Penal Code and 3(i)(r) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015 and for setting aside the order dated 04.04.2017 passed by learned Additional Sessions Judge, 1st, Jehanabad in A.B.P. No.357 of 2017.

Allegation against the appellants in the F.I.R. is in two parts. Firstly, there is allegation against one co-accused person of abusing the informant by taking her caste name and thereafter 22 accused persons including the appellants came and Dhananjay



Yadav and Ranjit Yadav fired six rounds but nobody has received injury and there is also allegation against some accused persons of assaulting by bricks and stones.

Submission of learned counsel for the appellants is that story of abusing the informant and firing six rounds is false and concocted and none has received any injury in this case and further that impugned order itself shows that the occurrence took place in view of the silt lifting from the *Ghat*.

Heard learned Special P.P. also who has opposed the prayer for bail on the ground that the appellants and others have assaulted the informant and others.

In such view of the matter, let appellants, above named, surrender within a period of four weeks before the court of Special Judge and pray for regular bail. The learned Special Judge shall verify the fact as to whether there is grievous injury on any of the persons. If no such injury is found, the learned Special Judge shall release the appellants on bail or he is free to pass any order, which he deems fit and proper.

With the above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J.)

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