

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2775 of 2017

Arising Out of PS.Case No. -9 Year- 2017 Thana -HISUA District- NAWADA

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1. Mahadev Yadav @ Ravindra Kumar, Son of Arjun Yadav @ Arjun Prasad Yadav,
2. Ashok Yadav, Son of Arjun Yadav @ Arjun Prasad Yadav,
3. Ramjatan Yadav, Son of Sadhu Yadav,
4. Shrawan Yadav, Son of Misri Yadav,
5. Pramod Yadav, Son of Hari Yadav, All resident of Village- Khanpur, P.S.- Hisua, District- Nawada.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ram Prawesh Kumar

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-11-2017 Heard the parties.

The appellants seek pre arrest bail in Hisua P.S. Case No.9 of 2017 registered for the offence under Sections 341, 323, 504, 34 of the I.P.C. and Section 3 (1)(r) of the SC/ST (POA) Act.

Allegation against the appellants is of assaulting the informant and others whereas the allegation of abusing the informant calling by her caste name is against other co-accused persons.

Submission of the learned counsel for the appellants is that no offence under the SC/ST(POA) Act is made out against the appellants rather against co-accused and at best it is a case of



assault and the case is under Sections 341, 323, 504,34 of I.P.C.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, the appeal is allowed. Let the aforesaid five appellants, in the event of 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 Additional Sessions Judge-1st-cum-Special Judge, Nawada, in Hisua P.S. Case No.9 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 his 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)

AnilKrSinha/-

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