

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1257 of 2017

Arising Out of PS.Case No. -95 Year- 2016 Thana -KASIMBAZAR District- MUNGER

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Ashish Yadav @ Shish Yadav @ Kaila Yadav @ Kailu @ Kaila son of
Gango Yadav @ Ganga Pasad Yadav, Resident of Mohalla- Sandalpur, P.S.
Kasim Bazar, District-Munger.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Indu Bhushan

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 31-07-2017 Heard the parties.

The appellant seeks regular bail in connection with Sessions Case No.271 of 2016 (arising out of Kasim Bazar P.S.Case No.95 of 2016) registered for offences punishable under Section 147, 148, 149, 447, 347, 323, 307 and 379 of the Indian Penal Code and Section 3(v)(2) of SC/ST (Prevention of Atrocities Act) Act.

Allegation against the appellant along with the others is of indiscriminately firing causing injury to the son of the informant and there is also general allegation against all the accused persons including the appellant of abusing by taking caste name.

Submission of the learned counsel for the petitioner is that there is general allegation and no specific allegation has been attributed and moreover, the injuries are on the knee and it is



simple in nature. The appellant is in custody for more than one year.

Heard learned Special P.P. also.

Having heard both sides and considering the fact that he is in custody for about one year, this appeal is allowed.

Let the appellant above named, be released on bail on furnishing bail bonds of Rs.25,000 (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge Ist, Munger in connection with Sessions Case No.271 of 2016, after setting aside order dated 1.3.2017 passed by Sri P.C. Choudhary, Additional Sessions Judge Ist, Munger in Sessions Case No.271 of 2016 (arising out of Kasim Bazar P.S.Case No.95 of 2016), subject to the following conditions:-

- (i) One of the bailors of the appellant shall be local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall co-operate in the disposal of trial and make himself available as and when required by the court concerned and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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