

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.855 of 2017

Arising Out of PS.Case No. -19 Year- 2016 Thana -SC/ST District- MUNGER

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Pankaj Yadav, son of Shivadhin Yadav, Resident of Village- Jawait, P.S.-
Kharagpur (Shyampur O.P.), District- Munger.

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Ramakant Sharma, Sr.Advocate

For the Respondent/s : Mr. Binay Krishna, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-07-2017 Heard learned counsel for the appellant and learned
Special P.P.

This appeal has been filed for setting aside the order dated 21.12.2016 passed by 1st Additional Sessions Judge-cum-Special Judge, Munger, in bail petition filed by the appellant in connection with Munger SC/ST P.S.Case No. 19 of 2016 registered under Sections 302/34 of the Indian Penal Code and 3(1)(x)/ 3(2)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for grant of bail to the appellant.

Allegation as per FIR is that the accused persons, including the appellant have assaulted the son of the informant and killed him.

It has been submitted on behalf of the appellant that no specific allegation has been attributed against the appellant and though there is allegation of assault against the appellant but it has



not been stated in FIR that as on what part of the body he has assaulted, rather direct allegation of assault is against three other accused persons and he is in custody for about one year.

Learned Special P.P., who has opposed the prayer for bail.

Having heard both sides and in view of facts and circumstances of the case, this appeal is allowed and the impugned order is set aside. Let the appellant, named above, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge, Munger, in connection with Munger SC/ST P.S.Case No. 19 of 2016, subject to the conditions that one of the bailors should be a local person having sufficient immovable properties within the jurisdiction of the court concerned, he will co-operate in disposal of trial and make himself available on each and every date fixed in the case in court, failing which his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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