

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1424 of 2017

Arising Out of PS.Case No. -143 Year- 2016 Thana -NIMCHAKBATHANI District- GAYA

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Suresh Yadav, S/o Late Chamari Yadav, resident of Village- Natesar, P.S.-
Nimchak Bathani, District- Gaya.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Umesh Kumar, Adv.
For the Respondent/s : Mr. Binay Krishna, Spl. PP.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-07-2017 This appeal is for grant of regular bail in connection with
Nimchak Bathani P.S. Case No. 143 of 2016 registered for the offence
under section(s) 147, 148, 149, 447, 341, 323, 504, 354 (A) of the
Indian Penal Code and section(s) 3 (i) (R) (8) of the SC/ST Act.

Submission of the learned counsel for the appellant is that
there is case and counter case and apart from that though there is an
allegation of assaulting, but there is no injury on the person of the
informant and his family members, which has been stated in paragraph
9 of this appeal and so far the allegation of tearing clothes of the wife of
the informant and his grand-daughter is superfluous and the appellant is
in custody since 17.04.2017.

Heard learned Special Public Prosecutor also.

Having heard both sides and in view of the facts and
circumstances, as stated above, this appeal is allowed and the impugned



order is set aside.

Let the appellant, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (SC/ST Act), Gaya in connection with Nimchak Bathani P.S. Case No. 143 of 2016, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a 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 cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine rhyme or reasons, the prosecution will have liberty to move for cancellation of his bail.

Mahesh/-

(Vinod Kumar Sinha, J)

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