

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1954 of 2017

Arising Out of PS.Case No. -66 Year- 2016 Thana -ALIPUR District- GAYA

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1. Hirdya Yadav Son of Chandrika Yadav, Resident of Village- Raudibigha,
P.S.- Alipur, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjay Kumar Sharma

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 26-07-2017 The appellant seeks regular bail in connection with Alipur P.S. Case No. 66 of 2016, registered for offences punishable under Sections 143, 341, 353, 504 and 506 of the Indian Penal Code and Section 4(i)®(s)/3(2)(va) of SC/ST (POA) Act.

Allegation against the appellant that he abused the police party and also assaulted them.

It has been submitted on behalf of the appellant that falsity of the case will appear from the fact though it is alleged that when police on information that illegal liquor is being manufactured raided the place and appellant along with 20 to 25 supporters them and also assaulted them but in the case diary not a single witness has stated about the other co-accused persons.



Further appellant has no criminal antecedent and has been in judicial custody since 08.06.2017.

Heard learned Special P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of allegation, this appeal is allowed and impugned order is set aside. Let the appellant above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Special Judge, SC/ST, Act, Gaya, in connection with Alipur P.S. Case No. 66 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 reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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