

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2306 of 2017

Arising Out of PS.Case No. -258 Year- 2017 Thana -SIKARPUR District-
WESTCHAMPARAN(BETTIAH)

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Harilal Yadav, son of Late Sarwar Yadav, resident of village Bijwaniya,
P.S. Chanpatia, District West Champaran

.... Appellant

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Brij Kishor Mishra

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-08-2017 Heard learned counsel for the appellant and learned
Special P.P.

This appeal has been filed for setting aside the order dated 17.7.2017 passed by 1st Additional District & Sessions Judge-cum-Special Judge, West Champaran, Bettiah, in Bail Petition No. 1125 of 2017, arising out of Shikarpur P.S.case No. 258 of 2017 registered under Sections 147, 148, 149, 323, 307, 436, 435, 379, 504 of the Indian Penal Code and 3(1)(x)(xi) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, including 27 of the Arms Act and for grant of bail to the appellant.

Allegation as per FIR is that appellant and other accused persons were going on the land of the informant and tried to dislodge the informant from his land.



It has been submitted on behalf of the appellant that though appellant is named in the FIR but nothing specific has been attributed against the appellant and he is in custody for two months.

Having heard both sides and in view of facts and circumstances, as stated above, the 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 District & Sessions Judge-cum-Special Judge, West Champaran, Bettiah, in connection with Shikarpur P.S.Case No. 258 of 2017, subject to the following conditions :-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable properties 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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