

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2746 of 2017

Arising Out of PS.Case No. -210 Year- 2017 Thana -MURLIGANJ District- MADHEPURA

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1. Sadanand Yadav, son of Late Kamleshwari Yadav
2. Ravi Yadav, son of Yashodhar Yadav, both residents of village
Parmanandpur, P.S. Murliganj, District Madhepura

.... Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Shekhar Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-09-2017 Heard learned counsel for the appellants and learned
Special P.P. for the State.

This appeal has been filed for grant of bail in connection with Murliganj P.S.Case No. 210 of 2017 registered for the offences punishable under Sections 341, 323, 379, 354B, 324, 325, 307, 34 of the Indian Penal Code and 3(1)(s) of SC/ST Act and for setting aside the order dated 21.8.2017 passed by Special Judge, SC/ST Act, Madhepura.

Allegation against appellant No.1 is of assault by rod on the head of informant. However, he received injury on his hand as he tried to save himself. Further allegation against appellant No.2 is that he misbehaved with Rita Devi and tried to outrage her modesty and there is also allegation of snatching chain from her neck.



Submission of learned counsel for the appellants is that opinion on injury was kept reserved and there is no injury on vital part of body and they are in custody for two months. Further submission is that the allegation against appellant No.2 is ornamental in nature as dispute arose with respect to a petty matter relating to pump water.

Learned Special P.P. could not controvert the above submission.

Having heard both sides and in view of facts and circumstances, the appeal is allowed and the impugned order is set aside.

Let appellants, above named, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Sri Raman Kumar, Special Judge, SC/ST Act, Madhepura, in connection with H.A. Case No. 342 of 2017, arising out of Murliganj P.S. Case No. 210 of 2017, subject to the following conditions :-

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,



(2) Appellants will co-operate in trial and will appear before the court on each and every date, failing which their bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

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