

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2361 of 2017

Arising Out of PS.Case No. -48 Year- 2017 Thana -SAHKUND District- BHAGALPUR

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Suraj Yadav, Son of Indradeo Yadav, Resident of Village- Mirhanti, P.S.-
Sultanganj, District- Bhagalpur.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajive Ranjan Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 28-11-2017

Heard the counsels for the parties.

The appellant is aggrieved by the order dated 22.07.2017 passed by the learned 2nd Additional District and Sessions Judge-cum-Special Judge, Bhagalpur in connection with Sahkund P.S. Case No. 48 of 2017 dated 25.03.2017, instituted for the offences under Sections 341, 323, 448, 504 and 506 of the Indian Penal Code, Sections 25(1-b)a, 26 of the Arms Act and Sections 3(i)(ii), 3(2)(vi) of the SC/ST Act, whereby his prayer for being released on bail has been rejected.

The appellant is alleged to have abused the informant and threatened him of dire consequences in case he did not leave aside his wife Chandani Kumari with whom the appellant claimed to have some kind of an affair in the past.



From the narration made in the FIR, no offence under any of the Sections of the Indian Penal Code or the Arms Act can at all be said to have been made out.

So far as the offence under Sections 25(1-b)a, 26 of the Arms Act is concerned, the weapon has been recovered by the informant and has been given to the police.

Taking into account that the appellant is in custody since 29.03.2017, the order dated 22.07.2017 is set aside.

The appellant above named is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional District and Sessions Judge-cum-Special Judge, Bhagalpur in connection with Sahkund P.S. Case No. 48 of 2017.

(Ashutosh Kumar, J)

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