

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2954 of 2017

Arising Out of PS.Case No. -19 Year- 2017 Thana -SC/ST District- LAKHISARAI

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1. Umesh Yadav son of Yogi Yadav
2. Sonu Yadav, son of Maruan Yadav
3. Bhali Yadav @ Boli Yadav, son of Chano Yadav
All are resident of village Pratap Pur, P.s.Halsi, District Lakhisarai

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Md. Irshad
For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-10-2017 Heard the parties.

The appellants seek regular bail in connection with Lakhisarai SC/ST P.S.Case No.19 of 2017 registered for offences punishable under Sections 341, 323, 504, 307, 34 of the Indian Penal Code and Section 3(2)(VA) of SC/ST (Prevention of Atrocities Act) Act.

Allegation against the appellants is of abusing the informant by taking caste name and also assaulting the informant.

Submission of the learned counsel for the appellant is that the injury is simple in nature and only allegation is of abusing but no such occurrence has taken place. The appellants are in custody for about 1 ½ months.

Heard learned Special P.P. also.



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

Let the 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 Addl. District and Sessions Judge 1st, Lakhisarai in connection with Lakhisarai SC/ST P.S.Case No.19 of 2017 after setting aside order dated 12.09.2017 passed by the learned Addl. District and Sessions Judge 1st, Lakhisarai in SC/ST P.S.Case No.19 of 2017, subject to the following conditions:-

- (i) One of the bailors of the appellants shall be local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellants will not induce any witness or tamper with the evidence.
- (iii) The appellants shall co-operate in the disposal of trial and make themselves available as and when required by the court concerned and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of their bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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