

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.288 of 2017

Arising Out of PS.Case No. -7 Year- 2016 Thana -RAJAULI District- NAWADA

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1. Sardar Yadav, Son of Govind Yadav, Resident of Village - Hardia Sector
- A, P.S. - Rajauli, District - Nawada.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sheo Kumar Prasad

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 20-06-2017 The appellant seeks pre arrest bail in connection with

Rajauli P.S. Case No. 7 of 2016, registered for offences

punishable under Sections 341, 323, 354, 504, 506, 34 Indian

Penal Code and Section 3(i)(xi) of SC/ST Act.

Allegation as per F.I.R. is that the one Dharmendra

Yadav came to the hotel of the informant and tried to outrage her

modesty and, thereafter, appellant and other accused persons came

there and they also assaulted her and also tried to outrage her

modesty.

It has been submitted on behalf of the appellant that so

far first part of the story is concerned, appellant is nowhere

involved in the occurrence and so far second part is concerned,

only general and omnibus allegation has been made against the



appellant. Further other accused persons having similar allegation have already been granted bail by this Court vide order 12.12.2016 passed in Criminal Appeal (SJ) – 1017/2016 and case of the appellant is similar to that of those accused persons.

Learned Spl. P.P. opposed the prayer for bail.

Having heard both sides, considering the facts and circumstances of the case, nature of offence and also that allegation against the appellant is quite vague and also some of other co-accused persons have already been granted bail, as such, this appeal is allowed, impugned order is set aside, let the appellant, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge –Ist, Nawada in connection with Rajauli P.S. Case No. 7 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

- (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 shall cooperate in the investigation and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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