

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1554 of 2017

Arising Out of PS.Case No. -13 Year- 2017 Thana -SC/ST District- GOPALGANJ

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1. Birendra Yadav Son of Late Ramdeo Yadaw.
2. Bachcha Yadaw Son of Late Ramdeo Yadaw. null
3. Ranjeet Kumar Yadaw Son of Sri Birendra Yadaw.
4. Pradeep Kumar Yadaw, Son of Surendra Yadaw, All Resident of Village-Adampur, P.S. Manjhagarh, District Gopalganj (Bihar).

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Naresh Prasad

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 11-07-2017 The appellants seeks pre arrest bail in connection with Gopalganj S.C./S.T. P.S. Case No.13 of 2017, registered for offences punishable under Section 447, 341, 323, 324, 385 and 504/34 of the Indian Penal Code and Section and Section 3(i)(x) of S.C./S.T. (POA) Act.

Allegation as per F.I.R. against the appellants is that they have abused the informant by taking caste name and also assaulted him.

Submission of the learned counsel for the appellant is that the F.I.R. itself shows that whatever allegation of abusing is there that is inside the house and not in the public place and so far other allegation is concerned, it is about demand of '*chanda*' and it has not been found true as well as the injury was not found on the person of the informant. Moreover, they have also settled the



dispute outside the court.

Heard learned Special P.P. also.

Let the appellants in the event of arrest or surrender before the court of Special Judge within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.1st-cum-Special Judge, Gopalganj, District- Gopalganj in connection with Gopalganj S.C./S.T. Case No.13 of 2017 after setting aside order dated 27.4.2017 passed by Sri Sunil Kumar Choudhary, 1st Additional Sessions Judge-cum-Special Judge, Gopalganj in A.B.P.No.591 of 2017 arising out of Gopalganj S.C./S.T. P.S.Case No.13 of 2017,, subject to conditions as laid down under Section 438 (2) of Cr.P.C. and further conditions that appellants will co-operate in investigation of the case and will appear before the Investigating Officer as and when required, failing which his bail bond shall be liable to be cancelled.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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