

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1348 of 2017

Arising Out of PS.Case No. -405 Year- 2016 Thana -WAJIRGANJ District- GAYA

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Rajesh Yadav Son of Ram Sharan Yadav, Resident of Village- Kenar
Paharpur, P.S.- Wazirganj, District- Gaya.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjeev Kumar, Adv.
For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-06-2017 The appeal is for grant of regular bail in connection
with Wazirganj P.S. Case No. 405 of 2016 registered for the
offences punishable under section 341, 323, 504/34 of the Indian
Penal Code and sections 3 (i) (x) of the SC/ST Act.

The appellant is not named in the F.I.R. Allegation
against the appellant, as per the F.I.R., is that when the Police
came to the village of the informant in search of the appellant, the
informant has informed about the appellant to the Police, for that,
the appellant has abused the informant by taking his caste name
and also assaulted him.

It has been submitted on behalf of appellant that the
appellant has falsely been implicated in this case and the
informant has been in habit of filing of false case against the



appellant and now he has remained in custody for four months.

Heard learned Special Public Prosecutor also.

Having heard both sides, in view of the facts and circumstances as stated above, this appeal is allowed and the impugned order dated 11.04.2017 is set aside.

Let the appellant, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of the Special Judge SC/ST Gaya in Wazirganj P.S. Case No. 405 of 2016, subject to the following conditions:-

- (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 will not induce any witness or tamper with the evidence.
- (iii) The appellants shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine rhyme



or reasons, the prosecution will have liberty
to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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