

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1262 of 2017

Arising Out of PS.Case No. -128 Year- 2016 Thana -PAKARIBARAW District- NAWADA

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1. Jai Ram Yadav Son of Late Nago Yadav.
2. Jitan Yadav Son of Late Nirmal Yadav.
3. Gaurav Yadav Son of Baiju Yadav @ Baijal Yadav.
4. Arjun Yadav Son of Baiju Yadav @ Baijal Yadav.
5. Lalan Yadav Son of Jai Ram Yadav.
6. Sanjeet Yadav Son of Jai Ram Yadav. All are Resident of Village-Bishunpur, Police Station- Pakribarawan (Pakribarawan), District- Nawada.

.... Appellants

Versus

The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Sheo Kumar Prasad, Advocate
For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 03-07-2017 Heard learned counsel for the appellants and learned
Special P.P.

This appeal has been filed for setting aside the order dated 25.3.2017 passed by 1st Additional District & Sessions Judge-cum-Special Judge, Nawada, B.P. No. 196 of 2017/07 of 2017, arising out of Pakribarawan P.S.case No. 128 of 2016 instituted under Sections 147, 148, 149, 341, 385, 487, 488, 323, 307, 504, 506 of the Indian Penal Code and 3(i)(x) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for grant of bail.

Allegation as per FIR against the appellants of assault to the informant.

It has been submitted on behalf of the appellants that they have falsely been implicated in this case as no occurrence took place. It has further been submitted that injury report (Annexure-2) shows that the injuries are simple in nature and they



are in custody for more than five months.

Learned Special P.P. could not controvert the above submission.

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

Let the appellants, named above, be enlarged 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 the Chief Judicial Magistrate, Nawada, in connection with Pakribrawan P.S. Case No. 128 of 2016, subject to the conditions that one of the bailors should be a local person having sufficient immoveable properties within the jurisdiction of the court concerned, they will co-operate in disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of their bail and further they will not induce any witness or tamper with the evidence.

(Vinod Kumar Sinha, J)

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