

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2961 of 2017

Arising Out of PS.Case No. -77 Year- 2016 Thana -NIMCHAKBATHANI District- GAYA

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1. VINAY YADAV @ VINAY KUMAR son of Sri Suriv Yadav
2. Sugriv Yadav son of Late Devindayal Yadav
Both resident of village Katari, P.S. Nimchak Bathani, District Gaya

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prithivi Raj Singh
For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-10-2017 Heard the parties.

The appellants seek pre arrest bail in connection with Nimchak Bathani P.S.Case no.77 of 2016 registered for offences punishable under Sections 147, 149, 504, 323, 379 and 307 of the Indian Penal Code and section 3(1) (x) of SC/ST (Prevention of Atrocities) Act.

Allegation against the appellants is of abusing the informant by taking caste name. Further allegation of snatching Rs.1800/- by the appellant no.1. So far appellant no.2 is concerned no specific allegation has been attributed against him.

Heard learned Special P.P. also, who has opposed the prayer for bail.

Having considered both sides and in view of the submission, let the appellant no.1 (Vinay Yadav @ Vinay Kumar) let the appellant no.1 surrender before the court of learned Special



Judge and make prayer for regular bail, which will be considered on the basis of materials available on the record without being prejudiced by the order of this Court.

So far appellant no.2 (Sugriv Yadav) is concerned, in the event of arrest or surrender before the court of Special Judge within a period of six 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) with two sureties of the like amount each to the satisfaction of Special Judge S.C. & S.T. Act, Gaya in connection with Nimchak Bathani P.S. Case no.77 of 2016 dated 4.6.2016 subject to conditions as laid down under Section 438 (2) of Cr.P.C. after setting aside the order dated 31.08.2017 passed by the court of Additional Sessions Judge 1st-cum-Special Judge, S.C. & S.C. Act, Gaya in A.B.P. No.113 of 2017, subject to further conditions that appellant 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 above observation, this appeal is disposed of.

(Vinod Kumar Sinha, J)

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