

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1514 of 2017

Arising Out of PS.Case No. -1 Year- 2017 Thana -SC/ST District- ARRARIA

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Anil Kumar Yadav @ Anil Yadav @ Anil Yadaav S/o Buddhdeo Yadav @
Buddha Deva Yadav resident of Village - Raharia, P.S. - Bhargama, District
- Araria.

.... Appellant

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Krishna Pd. Singh, Sr.Advocate

For the Respondent/s : Smt Usha Kumari No-1, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 28-07-2017 Heard learned counsel for the appellant.

This appeal has been filed against the order dated 15.3.2017 passed by 1st Additional Sessions Judge-cum-Special Judge, SC/ST (P.O.A.) Act, Araria in SC/ST P.S.Case No. 01 of 2017 registered for the offences punishable under Sections 307, 324, 323, 341, 354B, 379, 427, 448, 364, 504, 506, 147, 148, 149, 302 of the Indian Penal Code and 3(1)(g)(s) (v) and 3(2)(v) of SC/ST Act and for grant of bail to the appellant.

Allegation as per FIR is that accused persons had gone for fishing in the point of the informant and when he protested they returned and on the next day accused persons named in the FIR, including the appellant came there variously armed with fire arms and assaulted the informant and others and



abused him by taking his caste name and one of the accused fired causing injury to some persons.

It has been submitted on behalf of the appellant that the land belongs to the appellant but the informant tried to capture the land and for that some altercation took place and there is general and omnibus allegation and nothing specific has been mentioned.

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

Having heard both sides and considering the aforesaid facts and circumstances, the appeal is allowed and the impugned order is set aside. Let the appellant, named above, be released 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 the 1st Additional Sessions Judge-cum-Special Judge, SC/ST (P.O.A.) Act, Araria, in connection with Araria SC/ST P.S.case No. 01 of 2017, subject to the conditions that :-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.



(iii) The appellant 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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