

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2437 of 2017

Arising Out of PS.Case No. -373 Year- 2017 Thana -JAHANABAD District- JEHANABAD

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1. Subhash Yadav @ Anil Yadav @ Anil Kumar Son of Lallan Yadav @ Chandrashekhar Yadav, R/o Village- Iraki, P.S.- Jehanabad, District- Jehanabad.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Rakesh Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-08-2017

Heard the parties.

The appellant seeks regular bail in connection with Jehanabad P.S.Case No.373 of 2017, registered for offences punishable under Sections 307, 379, 325,324, 342, 341, 147, 148 & 149 of the Indian Penal Code and Section 3(x) of SC/ST (Prevention of Atrocities Act) Act.

Allegation against the appellant is of assault to one of the injured persons by ‘butt’ portion of the Pistol, causing injury to him.

Submission of the learned counsel for the appellant is that no case is made out under Section 307 of the IPC in view of the fact that he has assaulted by ‘butt’ portion of the Pistol and the injuries are not on the vital part of the body. The appellant is in



custody for more than three months.

Heard learned Special P.P. also.

Having heard both sides in view of the above facts and circumstances, this appeal is allowed.

Let the appellant above named, be released on bail on furnishing bail bonds of Rs.25,000 (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-1st, Jehanabad in connection with Jehanabad P.S.Case No.373 of 2017 after setting aside order dated 31.07.2017 passed by the learned Additional Sessions Judge-1st, Jehanabad in Jehanabad P.S.Case No.373 of 2017, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not threat to the informant or any witnesses in this case, otherwise.
- (iii) The appellant shall co-operate in the disposal of trial and make himself available as and when required by the court concerned and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

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