

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2341 of 2017

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

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1. Arvind Yadav @ Arvind Kumar Yadav Son of Ramdeo Yadav Resident
of Village Rahariya P.S. Bhargama, District Araria.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Mukesh Kumar Rana

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-08-2017 This appeal has been filed against the order dated

3.4.2017 passed by 1st Additional Sessions Judge-cum-Special
Judge, SC/ST (P.O.A.) Act, Araria in Special SC/ST (P.O.A.) Act
Case no. 11 of 2017, arising out of SC/ST P.S.Case No. 01 of
2017 registered for the offences punishable under Sections 307,
354B, 379, 364, 324, 427, 448, 504, 506 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 appellants.

Allegation as per FIR is that accused persons had gone
for fishing in the pond of the informant and when he protested
they returned and on the next day accused persons named in the
FIR, including the appellants 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 appellants that the land belongs to the appellants 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 and further other co-accused having similar allegation has already been granted bail by this Court vide order dated 28.07.2017 passed in Criminal Appeal (SJ) No. 1425 of 2017 and appellant has been in judicial custody since 09.01.2017

Learned Special P.P. opposed the prayer for bail.

Having heard both sides, in view of the above facts and as other co-accused of this case has already been granted bail by this Court, as such, this appeal is allowed and impugned order is set aside. Let the appellant above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum- Special Judge, SC/ST (POA) Act, Araria, in connection with Special SC/ST (P.O.A.) Act Case no. 11 of 2017, arising out of SC/ST P.S.Case No. 01 of 2017, 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 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 reasons, the prosecution is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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