

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.2644 of 2017**

Arising Out of PS.Case No. -9 Year- 2017 Thana -SANJHAULI District- SASARAM (ROHTAS)

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1. Dudhnath Yadav @ Dudhnath Singh, Son of Bihari Yadav @ Bihari Singh,
  2. Mannu Yadav @ Mannu Singh Son of Late Raghu Pati Singh @ Raghupati Yadav,
  3. Bhuwar Yadav, Son of Sarju Yadav @ Sarju Singh,
  4. Sarju Yadav @ Sarju Singh Son of Late Kishun Yadav @ Kishun Singh,
  5. Dina Yadav @ Dina Nath Yadav, Son of Late Radho Yadav @ Radha Singh,
  6. Kamta Yadav @ Kamta Singh Son of Late Shiv Bachan Singh @ Shiv Bachan Yadav,

.... .... Appellant/s

Versus

1. The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Kameshwar Singh

For the Respondent/s : Mr. Sri Sadanand Paswan

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

13 13-11-2017

Heard the parties.

The appellants seek pre arrest bail in connection with Sanjhauli P.S.Case No.9 of 2017 registered for offences punishable under Sections 147, 148, 149, 341, 323, 354, 337 436, 448, 504 and 506/34 of the Indian Penal Code and section 3(1)(x)®(s)(u) of SC/ST (Prevention of Atrocities) Act and Section 27 of the Arms Act.

Allegation against the appellants is of firing and brick-batting and also setting the house on fire.

Submissions of the learned counsel for the appellants



is that the allegation has been alleged against 50 accused persons and allegation against all the appellants is general and omnibus. Further as a matter of fact the informant and others have rooted out the crops of one Manu Singh and when they were chased by the villagers, they succeeded in fleeing away but they set the house on fire in which the crops were kept by the informant.

Heard learned Special P.P. also.

Having considered both sides and in view of the fact that as there is no specific allegation of abuse and assault against the appellant and there is general and omnibus allegation against 50 and odd accused persons, as such let the appellants in the event of arrest or surrender before the court of Special Judge within a period of four 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) each with two sureties of the like amount each to the satisfaction of Special Judge, SC/ST Act, Sasaram, Rohtas, in connection with A.B.P.No.529 of 2017 arising out of Sanjouli P.S.Case No.9 of 2017 subject to conditions as laid down under Section 438 (2) of Cr.P.C. after setting aside the order dated 3.5.2017 passed by the learned A.D.J. Ist-cum-Special Judge, SC./ST Act, Sasaram (Rohtas) in A.B.P.No.529 of 2017 arising out of Sanjouli



P.S.Case No.9 of 2017 , subject to further conditions that appellants will co-operate in investigation of the case and will appear before the Investigating Officer as and when required, failing which their bail bond shall be liable to be cancelled.

With the above observation, this appeal is allowed.

**(Vinod Kumar Sinha, J)**

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