

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2804 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -ARIYARI District- SEKHPURA

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1. Ramashray Yadav, S/o Keshar Yadav,
2. Nevri Yadav S/o Dev Yadav, Both R/o Village- Masaurha, P.S.- Ariyari
(Kasar), District- Sheikhpura.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ram Prasad Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 16-11-2017 The appellants are apprehending their arrest in connection with Ariyari (Kasar) P.S. Case No. 99 of 2017, registered for the offences punishable under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code and under Sections 3(2)(va) 3 (R)(s) of the SC/ST Act.

Allegation against the appellants is of abusing the informant and also assaulting him.

It has been submitted on behalf of the appellants that though it is alleged that they were abusing but nothing is mentioned to show that the appellants were abusing the informant by taking caste name and other allegations are general in nature.

Heard learned Special PP also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence and also that



appellants have no criminal antecedent and only general and omnibus allegation has been leveled against them, as such, this appeal is allowed and impugned order is set aside, let the appellants above named, in the event of their arrest or surrender before the court below 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/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Ist Additional Sessions Judge, Sheikhpura in connection with Ariyari (Kasar) P.S. Case No. 99 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) One of the bailors of the appellants shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

(ii) The appellants shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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