

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1913 of 2017

Arising Out of PS.Case No. -20 Year- 2015 Thana -SC/ST District- BANKA

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Nandeo Yadav

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Brij Nandad Prasad

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 05-07-2017 The appellant seeks pre arrest bail in connection with Banka SC/ST, P.S. Case No. 20 of 2015, registered for the offences punishable under Sections 147, 341, 323, 379, 504, and 506 of the Indian Penal Code and Section 3(i) (x) of SC/ST (POA) Act.

Allegation as per the FIR against the appellant and others that they assaulted the informant.

It has been submitted on behalf of the appellant that on perusal of the FIR itself, it appears that no allegation is made out against the appellant, constituting an offence under Section 3(i)(x) of SC/ST (POA) Act. It has further been submitted that though there is allegation of assault but no serious injury has been caused on the person of the informant.

Heard learned Special P.P. also. He could also not



controvert the above submission of learned counsel for the appellant.

Having heard both sides, in view of the facts and circumstances stated above, this appeal is allowed, appellant surrender before the court below within a period of four weeks and court below shall release of the appellant be enlarged on bail on furnishing bail bonds of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge, Banka, with following condition:-

The appellant shall cooperate in investigation and make himself 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 his bail bonds.

(Vinod Kumar Sinha, J)

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