

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2818 of 2017

Arising Out of PS.Case No. -38 Year- 2017 Thana -FATEHPUR District- GAYA

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1. Vinod Yadav, Son of Nirmal Yadav,
2. Mithilesh Yadav, Son of Ramchandra Yadav, Both resident of Village-
Dharahra Kala, Police Station- Fatehpur, District- Gaya.

.... Appellants/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellants/s : Mr. Syed Asgher Najmi

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 14-11-2017 The appellants seek regular bail in connection with

Fatehpur P.S. Case No. 38 of 2017, registered for offences

punishable under Sections 341, 323, 504, 506,

354(D)(1)/354(B)/509/34 of the Indian Penal Code and Sections

3(1)(r)(s)/3(2)(v)(A) of SC/ST (POA) Act.

Allegation against the appellants is that they tried to

outrage the modesty of the informant and further specific

allegation against these appellants that they removed the clothes of

informant on the point of pistol.

It has been submitted on behalf of the appellants that no

such occurrence has ever taken place and they have falsely been

implicated in this case and has been in judicial custody since

08.08.2017.



Learned counsel for the State opposed the prayer for bail and submitted that the appellants have also threatened the informant and her husband prior to lodging of this case.

Having heard both sides, in view of the facts as stated above, this appeal is allowed and impugned order is set aside. Let the appellants above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Gaya, in connection with Fatehpur P.S. Case No. 38 of 2017, subject to the following conditions:-

- (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 will not make any threat to the informant and his family members.
- (iii) The appellants shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their 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 their bail bonds.

(Vinod Kumar Sinha, J)

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