

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.383 of 2019

Arising Out of PS. Case No.-60 Year-2018 Thana- KAUWAKOL District- Nawada

1. Indesh Yadav @ Indesh Kumar and Anr Son of Rajo Yadav Resident of Village- Madhurapur, P.S.- Kawakole, District- Nawada.
2. Chando Yadav Son of Late Munsu Yadav Resident of Village- Madhurapur, P.S.- Kawakole, District- Nawada.

... .. Appellant/s

Versus

The State Of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sheo Kumar Prasad, Adv.

For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 28-02-2019

The appellants seeks pre arrest bail in connection with Kawakole P.S. Case No. 60 of 2018, registered for offences punishable under Sections 147, 148, 149, 341, 323, 307, 3789, 504 and 506 of the Indian Penal Code and Section 3(i)(r)(s) of SC/ST Act.

Allegation against the appellants is of assault to the informant by rod and lathi.

It has been submitted on behalf of the appellants that the dispute arose between the parties with respect to thrashing of paddy, for which, the informant has come with this false case and further from perusal of F.I.R itself it is evident that provisions of SC/ST act is not applicable as there is no allegation of abusing by caste name.

Heard learned Special P.P. also.



Having heard both sides, in view of the above facts, let the appellants , above named, in the event of their arrest or surrender before the Court below within a period of six weeks, 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 1st Additional District & Sessions Judge-cum-Special Judge, Nawada, in connection with Kawakole P.S. Case No. 60 of 2018, subject to the conditions laid down under Section 438 (2) of Cr.P.C.

Accordingly, this appeal is allowed and impugned order is set aside.

(Vinod Kumar Sinha, J)

sunilkumar/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

