

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1501 of 2019**

Arising Out of PS. Case No.-83 Year-2018 Thana- SC/ST District- Nalanda

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1. Kailu Yadav @ Kailash Yadav, Son of Ganga Yadav, Resident of Village-Har Prasad Bigha, Police Station-Ben, District-Nalanda.
 2. Nitish Yadav @ Nitesh Yadav, Son of Kailu Yadav @ Kailash Yadav, Resident of Village-Har Prasad Bigha, Police Station-Ben, District-Nalanda.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Sanjiv Sharan, Advocate
For the Respondent/s : Mr.Binay Krishna, APP

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER**

4 28-05-2019 Heard learned counsel for the appellants and learned
counsel appearing on behalf of the State.

Appellants are aggrieved by the order dated
14.02.2019 passed by the learned 1st Additional Sessions Judge,
Nalanda at Bihar Sharif, in connection with SC/ST P.S. Case
No.83 of 2018 whereby their application for bail was rejected.

The appellants are seeking bail in connection with
SC/ST P.S. Case No.83 of 2018 for the offences under Sections
147, 148, 149, 341, 323, 326, 307, 504, 506 of the Indian Penal
Code and Sections 3(1) (R) (S), 3(2) (v)(a) of SC/ST Act.

Learned counsel for the appellant would submit that
the appellants have no criminal antecedent and they are in



custody since 30.01.2019. Learned counsel further submits that there is no specific overact against these appellants. There is general and omnibus allegation against these appellants as they have assembled with co-accused with Lathi, Danda and rod and assaulted the informant.

Considering the fact that appellants have no criminal antecedent and there is general and omnibus allegation against the appellants, the Court is inclined to grant bail to the appellants. Let the appellants, named above, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Nalanda at Bihar Sharif, in connection with SC/ST P.S. Case No.83 of 2018.

Accordingly, the impugned order dated 14.02.2019 passed by the 1st Additional Sessions Judge, Nalanda at Bihar Sharif, is set aside and the appeal is allowed.

(Anil Kumar Upadhyay, J)

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