

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1646 of 2019

Arising Out of PS. Case No.-122 Year-2016 Thana- DERNI BAZAR District- Saran

UPENDRA YADAV @ UPENDRA PRASAD YADAV Son of Brahma Rai
Resident of Village - Jaitipur, P.S.- Dariyapur, Distt - Saran.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Manoj Kumar

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT

Date : 21-05-2019

Heard learned counsel for the appellant and
learned Spl. P.P. for the State.

The appellant seeks pre-arrest bail in connection
with Derni P.S. Case No. 122 of 2016 registered under
Sections 341/323/353/504 of the Indian Penal Code and
Section 3(i) (x) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act.

Submission of learned counsel for the appellant
is that the appellant is innocent and has falsely been
implicated in the present case. He has no criminal antecedent.
Further submission is that it appears from Annexure-2 to the
application that the appellant has filed an application before
the Commissioner regarding the defalcation of the



Government money and also before filing the present case, letter had also been given but no action has been taken. Thereafter, on retaliation, the present case has been filed by the informant to take revenge with false allegation.

Having heard both sides and in the facts and circumstances of the case, let the above named appellant be released on bail, in the event of arrest or surrender, on furnishing bail bonds of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the 1st Additional Sessions Judge-cum-Special Judge, SC/ST Act, Saran at Chapra in connection with Derni P.S. Case No. 122 of 2016, subject to the conditions as laid down under section 438(2) of Cr. P.C.

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

(Arvind Srivastava, J)

shailendra/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

