

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1727 of 2019**

Arising Out of PS. Case No.-41 Year-2019 Thana- PARAIYA District- Gaya

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1. Kishori Yadav Son of Karu Yadav Resident of Village- Bachheriya, Post-Gajanpur, P.S.- Cherki, District- Gaya.
 2. Rajesh Kumar Yadav @ Rajesh Yadav Son of Kishori Yadav Resident of Village- Bachheriya, Post- Gajanpur, P.S.- Cherki, District- Gaya.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manish Kumar No. 2
For the Respondent/s : Mr. Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

3 05-07-2019 Heard learned counsel for the appellants and learned
Spl. P.P. for the State.

The appellants seek pre-arrest bail in connection with Paraiya P.S. Case No. 41 of 2019 registered for the offence punishable under Sections 435, 436, 427/34 of the Indian Penal Code and Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

There is land dispute between the informant and one Ward Member Vikli Devi. The Panchayati could not succeed between them rather the matter was aggravated. Over the said land dispute, the appellants and two other accused



persons are said to have set ablaze the straw house of the informant.

It is submitted by learned counsel for the appellants that the appellants have no concern with the aforesaid occurrence. They have been falsely implicated in this case due to dirty village politics. Appellants have no dispute with the informant rather land dispute is between the informant and Vikli Devi and the appellants have no concern with the said Vikli Devi. There is no eye witness of the occurrence. Allegation levelled against the appellants is not specific rather general and omnibus in nature. Appellants have no criminal antecedent.

Learned Spl. P.P. for the State opposed the bail prayer of the appellants.

Having regard to the facts and circumstances of the let the above named appellants be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST, Gaya in connection with Paraiya P.S. Case No. 41 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



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

(Prakash Chandra Jaiswal, J)

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