

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4782 of 2018

Arising Out of PS. Case No.-61 Year-2016 Thana- SC/ST District- Jamui

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1. Ram Charitra Yadav, Son of Choba Yadav
 2. Nand Kishore Yadav, Son of Ram Charitra Yadav
 3. Kaleshwar Yadav, Son of Ramcharitra Yadav, All Resident of Village - Chapri Aghara, P.S.- Sono, District - Jamui

... .. Appellants

Versus

The State Of Bihar

... .. Respondent

Appearance :

For the Appellant/s : Mr.Umesh Prasad, Advocate
For the Respondent/s : Smt Usha Kumari No-1, Special P.P.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 05-02-2019

This appeal is for grant of pre-arrest bail to the appellants against the order dated 3.11.2018 passed by Additional District Judge-I, Jamui, in A.B.P. No.591 of 2018 by which learned District Judge has rejected prayer for pre-arrest bail of the appellants, who have been made accused in Jamui SC/ST P.S.Case No. 61 of 2016, registered under Sections 341, 323, 504, 506 of the Indian Penal Code and Section 3(i)(a)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation as per FIR is that informant came to search about one Subhash Yadav and thereafter accused persons, including the appellants have assaulted him and threw him on the ground and also abused him by taking caste name.

Submission of learned counsel for the appellants is that the informant is member of gang of Subhash Yadav and he has falsely been implicated in this case and there is no motive behind the occurrence.

Heard learned Special P.P.



Having heard both sides and in the facts and circumstances, let the appellants, named above, be released on bail, in the event of arrest or surrender, on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of Additional District Judge-I, Jamui, in connection with Jamui SC/ST P.S. Case No. 61 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C. and one of the bailors of the appellants shall be a local person, having sufficient immoveable properties within the jurisdiction of court concerned.

Accordingly, the appeal is allowed and the impugned order dated 3.11.2018 is set aside.

(Vinod Kumar Sinha, J)

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Uploading Date	
Transmission Date	

