

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3544 of 2018

Arising Out of PS. Case No.-39 Year-2017 Thana- SC/ST District- Jehanabad

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1. Rajeev Ranjan Yadav and Ors
 2. Randhir Yadav
 3. Subodh Yadav All sons of Late Budh Lal Yadav
 4. Balwant Yadav S/o Rajeev Ranjan Yadav
 5. Raj Nandan Yadav S/o Late Rangu Yadav
 6. Naveen Yadav
 7. Aditya Yadav Both are sons of Raj Nandan Yadav All are resident of village - Bishunpur, P.S. - Makhdumpur, District - Jehanabad.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Arvind Prasad Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT

Date : 16-01-2019

Heard the parties.

The appellants seek anticipatory bail in connection with A.B.P. No. 1123 of 2018 arising out of Jehanabad SC/ST P.S.Case No. 39 of 2017, registered for offences punishable under Sections 447, 448, 341, 323, 354, 504 and 34 of the Indian Penal Code and 3 (2) (va) of SC/ST (POA) Act.

Allegation against the appellants as per the F.I.R. is that the appellant No. 1 is of catching hold of the hand of the informant with bad intention and any how she returned her house and thereafter all the accused persons came into his house with lathi, danda and assaulted with taking her caste name.



Submission of the learned counsel for the appellants is that after investigation, the case was found not true and submitted final form, however cognizance has been taken.

Heard learned counsel for the Special P.P. as well as learned counsel for the informant opposes the prayer for bail for filing counter affidavit stating that Appellant Nos. 1, 2, 3 and 5 have criminal antecedents and the same has been suppressed by the appellants.

Learned Special P.P. as well as learned counsel for the informant oppose the prayer for bail.

In view of direct allegation against the Appellant Nos. 1,2,3 and 5, I am not inclined to grant anticipatory bail to the appellants and if the appellants surrender before the Court below and make prayer for regular bail, the same shall be considered on its own merit without being prejudiced by this order.

So far, the appellant Nos. 4, 6 and 7, above mentioned, in the event of their arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-1, Jehanabad



in connection with A.B.P. No. 1123 of 2018 arising out of Jehanabad SC/ST P.S.Case No. 39 of 2017, subject to the condition that as laid down under Section 438 (2) of the Code of Criminal procedure with further condition that one of the bailors of the appellants shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

With the above direction this appeal is disposed of.

(Vinod Kumar Sinha, J)

sudha/-

AFR/NAFR	NAFR
CAV DATE	NA
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