

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4204 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- SC/ST District- Banka

DISO YADAV @ DISO KUMAR YADAV S/o Banarsi Yadav R/o
Village/Mohalla- Dharmaiychak, P.S.- Rajoun, Distt.-Banka.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Swapnil Kumar Singh
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

5 12-12-2019 Heard learned counsel for the appellant and learned
Additional Public Prosecutor for the State.

This appeal has been filed against the order dated
09.07.2019 passed in A.B.P. No. 765/2019 in connection with
SC/ST Case No. 13/2019 for the offences under Sections 341,
323, 354, 506 of the Indian Penal Code and Section 3(i)(r) of
SC/ST Act passed by learned 1st Additional Sessions Judge,
Banka.

Learned counsel for the appellant submits that
petitioner has been falsely implicated in this case in the quarrel
of two children. Petitioner is the neighbour of the informant and
that there is no injury received by the informant.

Learned A.P.P. for the State has opposed the prayer for
anticipatory bail of the appellant.



Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the appellant that there seems to be a false implication of the petitioner in the quarrel took place between the two children, the F.I.R. has been lodged three days after the alleged occurrence and after going through the case diary, learned A.P.P. for the State has submitted that no injury has been noticed at the body of the informant, the impugned order dated 09.07.2019 passed by learned 1st Additional Sessions Judge, Banka in A.B.P. No. 765/2019 is hereby set-aside, let the above-named appellant, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge, Banka, in connection with SC/ST Case No. 13/2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any



person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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