

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5332 of 2019

Arising Out of PS. Case No.-48 Year-2017 Thana- DHANKUND District- Banka

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RUPESH YADAV Son of Sanjay Yadav Resident of Village - Bazardih, P.S.-
Dhankund, District - Banka.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Brij Nandad Prasad

For the Respondent/s : Mr.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 05-12-2019 Heard learned counsel for the appellant and learned
Special PP for the State.

The appellant who is in custody since 8.11.2019 has
filed the instant application for grant of bail in connection with
G.R.No. 2445 of 2017 (Dhankund P.S. Case No.48 of 2017)
(District- Banka) registered for the offence punishable under
sections 142,147,149,323,337,307,332,222 and 353 of the
Indian Penal Code and section 3(r)(s) of the SC/ST Act.

As per the allegation in the FIR, when the
informant had gone to conduct a raid in connection with another
P.S. case the accused persons raised hungama, assaulted the
informant and the police party and managed to release Pankaj
Singh and Sanjay Yadav from custody of police. It is further
stated that they also abused the officer incharge, the informant
herein by the name of his caste. It is stated that amongst 13
named accused persons and 15 unknown, the appellant was also



amongst the named accused.

It is submitted by learned counsel for the appellant that the allegations are general and omnibus in nature. While the appellant is in custody since 8.11.2019, some of the similarly situated co-accused have been enlarged on anticipatory bail by order dated 9.1.2018 passed in Cr.Misc. No. 3558 of 2017

The application for bail was opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as also in view of the fact that the appellant is in custody since 8.11.2019, let the appellant above named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Banka in connection with G.R. No.2445 of 2017 (Dhankund P.S. Case No.48 of 2017)(District- Banka).

Accordingly, the appeal stands allowed.

(Partha Sarthy, J)

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