

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.872 of 2020

Arising Out of PS. Case No.-1 Year-2020 Thana- CHANDAN District- Banka

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Niranjan Kumar Yadav @ Niranjan Kumar, aged about 23 years, Son of Kamal Kant Yadav, Resident of village - Domawajan, P.S.- Chandan, Distt.- Banka.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Dronacharya, Adv.

For the Respondent/s : Ms. Usha Kumari-1, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-06-2020 Heard Mr. Dronacharya, learned counsel for the petitioner and Ms. Usha Kumari-1, learned APP for the State.

This appeal is directed against the order dated 29.01.2020 passed by the learned 1st Additional Sessions Judge, Banka in connection with Chandan P.S. Case No. 01 of 2020, dated 04.01.2020, registered for the offences under Sections 341, 323, 354, 397, 504, 506 and 34 of the Indian Penal Code and Section 3(i)(r)(w) of the Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby the prayer for grant of bail of the appellant



has been rejected.

The informant has alleged that the appellant and others had caught hold of her hand and also assaulted her by means of wood. The cattle of the informant was also unauthorizedly impounded by the appellant and others.

It has been submitted on behalf of the appellant that there is an inordinate delay in lodging of the F.I.R. and the allegation is absolutely baseless. The persons who have been named as eye-witnesses to the occurrence have not made themselves available for interrogation by the police.

The appellant is stated to be in custody since 05.01.2020.

Considering the nature of accusation, the background facts and the period of custody of the appellant, the impugned order dated 29.01.2020 is set-aside.

The appellant/Niranjan Kumar Yadav @ Niranjan Kumar is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned 1st Additional Sessions Judge,
Banka in connection with Chandan P.S. Case No. 01 of
2020.

The appeal stands allowed.

(Ashutosh Kumar, J)

Praveen-II/-

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