

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.884 of 2020

Arising Out of PS. Case No.-24 Year-2019 Thana- SC/ST District- Banka

1. Mukesh Yadav, aged about 35 years (Male), Son of Gurudeo Yadav, Resident of Village - Kishanpur, P.S.- Rajoun, District- Banka.
2. Vikash Yadav, aged about 30 years (Male), Son of Gurudeo Yadav, Resident of Village - Kishanpur, P.S.- Rajoun, District- Banka.

... .. Appellants

Versus

The State of Bihar

... .. Respondent

Appearance :

For the Appellants : Mr.Rajiv Kumar Singh, Advocate.
For the Respondent : Mr.Sadanand Paswan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 01-06-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsels for the parties.

The matter relates to grant of bail to the appellants in connection with G.R. No. 85 of 2019 A, SC/ST P.S. Case No. 24 of 2019, registered for the offences under Sections 341, 323, 420, 406, 504 and 506/34 of the IPC and 3(1) (r)(g) of the SC/ST (Prevention of Atrocities) Amendment Act.

The prosecution case, in short, is that the appellants abused and assaulted the informant and they also threatened to



kill him.

It has been submitted on behalf of the appellants that the appellants are in custody since 23.01.2019 and have got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the appellants. The matter relates to land dispute. The alleged occurrence has not taken place at a public place. Other co-accused person has been granted bail by another Co-ordinate Bench of this Court vide Cr. Appeal (SJ) No. 21 of 2020 under order dated 17.02.2020.

On behalf of the State, it is submitted that the appellants are named in the F.I.R.

In view of the aforesaid facts and circumstances, the order dated 29.01.2020, passed by learned Additional Sessions Judge-1, Banka, in connection with G.R. No. 85 of 2019 A, SC/ST P.S. Case No. 24 of 2019, is set aside. The criminal appeal is allowed.

Further, the appellants, above named, are directed to be released on bail on their personal bond to the satisfaction of learned Additional Sessions Judge-1, Banka, in connection with G.R. No. 85 of 2019 A, SC/ST P.S. Case No. 24 of 2019.

Once the normalcy is restored, the appellants shall



furnish bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

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(Sudhir Singh, J)

