

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4981 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- SC/ST District- Siwan

-
1. Saheb Yadav, Son of Durga Yadav Resident of Village- Rampur, P.S.- M.H. Nagar, District- Siwan.
 2. Wikki Yadav Son of Durga Yadav Resident of Village- Rampur, P.S.- M.H. Nagar, District- Siwan.
 3. Buchun Yadav Son of Durga Yadav Resident of Village- Rampur, P.S.- M.H. Nagar, District- Siwan.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Gajendra Kumar Singh
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-01-2020 This appeal has been filed against the order dated 23.09.2019 passed by the learned 1st Additional Sessions Judge-I-cum-Special Judge, Siwan, in connection with SC/ST Siwan, P. S. Case No. 17 of 2019 disclosing offences under Sections 341, 504, 506, 34 of the Indian Penal Code and Section 3(i)(r), 3(i)(s) of the SC/ST Act.

Appellants are named in the F.I.R. there is allegation against one co-accused Overshier Yadav that he abused the informant by taking his caste name and there is allegation against the appellant no.1 that he assaulted by Chappal in the market and against appellant no.2 that he abused by taking his caste name.

Submission of the learned counsel for the appellants is



that the whole allegation is false and concocted. Some altercation took place due to parking of motorcycle. So far appellant no.3 is concerned, no specific allegation has been attributed against him.

Heard learned Special P.P. also.

Having heard both sides, considering the above submissions, made above, so far as appellant no.3 is concerned, this appeal is allowed. The impugned order dated 23.09.2019 passed by the learned 1st Additional Sessions Judge-I-cum-Special Judge, Siwan, is set aside. Let the appellant no.3, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned 1st Additional Sessions Judge-I-cum-Special Judge, Siwan, in connection with SC/ST Siwan, P. S. Case No. 17 of 2019.

So far as appellants no.1 and 2 are concerned, they have to surrender and pray for regular bail.

With the aforesaid, this appeal is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

U		T	
---	--	---	--

