

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL APPEAL (SJ) No.3370 of 2021**

Arising Out of PS. Case No.-35 Year-2020 Thana- SC/ST District- Rohtas

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MANOJ YADAV, S/o Late Lallan Yadav, R/o Village- Kaithi, P.S.-
Kachhawan, District- Rohtas (Bihar)

... .. Appellant

Versus

The State of Bihar

... .. Respondent

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Appearance :

For the Appellant/s : Mr.Ashok Kumar, Advocate

For the Respondent/s : Mr.Sadanand Paswan, Spl. P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 23-08-2021 Learned counsel for the appellant undertakes to

remove all the defects as pointed out by office within four

weeks after start of normal functioning of the Court.

Heard learned counsel for the appellant and Mr.
Sadnanand Paswan, learned Special P.P. for the State.

Appellant in the present case is seeking to set aside

the order dated 24.04.2021 passed by learned 1st Additional
Sessions Judge -cum-Special Judge, Rohtas at Sasaram in
connection with SC/ST Dehri P.S. Case No. 35 of 2020
registered for the offences punishable under Sections 341, 323,
325, 307, 504/34 of the Indian Penal Code and Section 3(1)(r)(s)
of the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act whereby and whereunder his prayer for regular

bail was rejected.

As per the First Information Report, the allegation against the appellant is that he along with other co-accused named in the F.I.R. had assaulted the informant and his brother by lathi.

Learned counsel for the appellant submits that there are general and omnibus allegations against this appellant. He is in custody since 25.02.2020 having no criminal antecedent.

Mr. Sadanand Paswan, learned Special P.P. for the State has though opposed the prayer for regular bail of the appellant but has not controverted that there are general and omnibus allegations against this appellant.

Considering the facts and circumstances of the case wherein it is not controverted by learned Special P.P. for the State that there are general and omnibus allegations against this appellant and the appellant has remained in jail since 25.02.2021, he has otherwise no criminal antecedent, investigation against him is complete but the trial is not likely to take place in near future, in the circumstances, this Court sets aside the impugned order and directs release of the appellant above named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the

like amount each to the satisfaction of learned 1st Additional Sessions Judge -cum-Special Judge, Rohtas at Sasaram in connection with SC/ST Dehri P.S. Case No. 35 of 2020, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the appellant and in case at any stage it is found that the appellant has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the appellant. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.