

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3505 of 2021

Arising Out of PS. Case No.-569 Year-2020 Thana- CHANDI District- Nalanda

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1. CHHOTE YADAV SON OF PARMANAND YADAV Resident of Village- Birnawa, P.S.- Bena, District- Nalanda.
 2. DEEPAK YADAV S/o- PARMANAND YADAV Resident of Village- Birnawa, P.S.- Bena, District- Nalanda.

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jay Ram Prasad, Advocate

For the Respondent/s : Mr. Binay Krishna, Spl. PP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 25-10-2021 Heard Mr. Jay Ram Prasad, learned counsel for

the appellants and Mr. Binay Krishan, learned Spl. PP for

the State.

The application with respect to appellant no.
1/Parmanand Yadav has earlier been withdrawn.

The appellants no. 2 and 3 have challenged the
order dated 22.06.2021 passed by the learned
Additional Sessions Judge-I, Biharshari, Nalanda in
A.B.P. No. 730 of 2021 arising out of Chandi (Bena)
P.S. Case No. 569 of 2020, whereby the prayer made
on behalf of the appellants for grant of pre-arrest bail



for the offences under Sections 147, 149, 341, 323, 307, 354, 448, 504 and 506 of the Indian Penal Code and Sections 3(1)(r)(s) 3(2)(va) of the SC/ST (Prevention of Atrocities) Act has been rejected.

The accusation against the appellants no. 2 and 3 is of having assaulted the members of the prosecution party and of also having abused them.

It has been urged that the accusation is general and omnibus and nothing specific has been alleged against them.

The victims have suffered simple injuries.

It has further been submitted that the allegation involving the mischief of SC/ST (Prevention of Atrocities) Act is highly unwarranted and has been hurled only for the purposes of adding serious colour to the civil dispute between the parties.

Considering the afore-noted submissions, this Court had by order dated 23.09.2021 called for the case diary and had granted provisional bail to the appellants



no. 2 and 3.

There is nothing in the case diary to indicate otherwise.

For the reasons aforestated, the provisional bail granted to the appellants no. 2 and 3 is hereby confirmed. The appellants shall remain on the same bail bonds.

The order dated 22.06.2021 is set aside.

The appeal stands disposed off accordingly.

(Ashutosh Kumar, J)

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