

In the Court of Addl. District & Sessions Judge-I, Jehanabad
Spl. SC/ST Case No. 103 of 2021
Jehanabad SC/ST P.S. Case No. 38 of 2021

O R D E R

05.04.2022

The instant surrender -cum- bail petition filed on behalf of the accused-petitioners namely, **Umesh Yadav and Rajdev Yadav**, in connection with Jehanabad SC/ST P.S. Case No. 38 of 2021, registered for the offences punishable u/s 341, 504 & 506/34 of the IPC and 3(i)(r)(s) & 3(2)(va) of the SC/ST Act, is pressed today for hearing.

Heard the learned counsel for the petitioners as well as the learned Spl. P.P. for the State.

The case of prosecution, in brief, is that on 24.12.2021 at about 06:00 A.M., when the informant along with his family members were at their house, the accused-petitioners came there and started abusing them by calling with their caste name. The accused persons also asked the informant as to why he has installed government hand-pump in his field and threatened to kill him as well as his family members by putting them on fire. Thereafter, the case has been registered and investigation started.

The learned counsel for the petitioners submitted that the petitioners are quite innocent, they have not committed any offence and they have falsely been implicated in this case. It is further submitted that there was land dispute between the parties and only with a view to put undue pressure this false and concocted case has been instituted against the petitioners. However, the instant case has been compromised between the parties and the petitioners are *suo moto* surrendering before the court hence, they may be released on bail.

The learned Spl. P.P. opposed the prayer of bail.

Heard both the sides and perused the case record. On perusal of case record, it appears that the petitioners are named in the F.I.R. but the instant case has been compromised between the parties and the compromise petition is also available on the record. Further, the informant himself appeared physically before the Court and voluntarily stated that he on his own sweet will has compromised this case with the accused-petitioners and the petitioners are, *suo moto*, surrendering before the Court.

Therefore, considering all the facts and circumstances of the case, materials available on the record as well as the factum of compromise between the parties, the Court is of the considered view that the petitioners deserve the privilege of bail. Accordingly, the petitioners, named above, are hereby directed to be released on bail, on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount, each to the satisfaction of the Court concerned.

(Dictated)

I/c Addl. Sessions Judge-I,
Jehanabad.
05.04.2022