

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.691 of 2017

Arising Out of PS.Case No. -27 Year- 2010 Thana -RAJGIR MUFFSIL District- NALANDA
(BIHARSHARIFF)

- =====
1. Mallu Yadav, Son of Mashhkant Yadav,
 2. Baiju Yadav @ Benu Yadav, S/o Shiv Kumar Yadav.
 3. Shiv Kumar Yadav, Son of Bichali Yadav,
 4. Rajo Yadav, Late Bale Yadav,
 5. Kamlesh Yadav, Son of Rajendra Yadav
 6. Nawlesh Yadav, Son of Rajendra Yadav,
 7. Sanjay Yadav, Son of Vishundeo Yadav.
 8. Santosh Yadav, Son of Venu Yadav,
 9. Yashwant Yadav, son of Bishundeo Yadav, All are Resident of Village-
Keshri Bigha, P.S. Rajgir (Chhabilapur), District- Nalanda.
- Appellant/s

Versus

1. The State of Bihar.
- Respondent/s

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with

Criminal Appeal (SJ) No.735 of 2017

Arising Out of PS.Case No. -27 Year- 2010 Thana -RAJGIR MUFFSIL District- NALANDA
(BIHARSHARIFF)

- =====
1. Vijay Yadav Son of Vishundeo Yadav
 2. Munni Yadav Son of Late Bala Yadav Both are resident of Village-
Keshri Bigha, P.S.-Rajgir(Chhabilapur), District- Nalanda.
- Appellant/s

Versus

1. The State of Bihar
- Respondent/s

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Appearance :

(In CR. APP (SJ) No.691 of 2017)
For the Appellant/s : Mr. Pravin Kumar
For the Respondent/s : Mr. Sri Abhay Kumar
(In CR. APP (SJ) No.735 of 2017)
For the Appellant/s : Mr. Babita Kumari
For the Respondent/s : Mr. Sri Abhay Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 07-06-2017 Heard learned counsel for the appellants and the

learned counsel for the State.

These appeals are directed against the judgment and
order dated 24.01.2017 convicting the appellants for the offences



punishable under sections 148, 149, 304 Part II, 149 of the Indian Penal Code and the order of sentence dated 03.02.2017.

Learned counsel for the appellants submits that no independent witness has come to support the prosecution case. Prosecution evidences are not reliable and believable. It is further submitted that the deceased was not murdered on the roof of the informant, which is evident from the Inquest report. Appellants were all along on bail during the trial.

Considering the facts and circumstances of the case, the submissions advanced on behalf of the appellant and the materials available on the record as also the lower court record, which is available on record, it is directed that the appellants, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Rajesh Kumar Pandey, Additional Sessions Judge III, Nalanda at Biharsharif in connection with Sessions Trial No. 751 of 2010/ Trial No. 35 of 2016 arising out of Rajgir (Mufsil) Chabilapur P.S. Case No. 27 of 2010 during the pendency of the appeal.

(Arvind Srivastava, J)

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