

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1825 of 2017

Arising Out of PS.Case No. -278 Year- 2013 Thana -BODHGAYA District- GAYA

=====

Mohan Yadav, S/O Kail Yadav, R/O Village- Anwar, P.S. Bodh Gaya,
District- Gaya.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Sunil Kumar Yadav

For the Respondent/s : Mr. Binay Krishna

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-07-2017 The appellant seeks regular bail in connection with Bodh

Gaya P.S.Case No.278 of 2013, registered for offences punishable

under Section 302/34 of the Indian Penal Code and Section 3(2)5

of SC/ST (POA) Act.

The appellant is named in the F.I.R.. The case is under
Section 302 of the Indian Penal Code.

It is submitted on behalf of the appellant that except
suspicion, there is nothing against the appellant in the F.I.R. and
the other co-accused persons having similar allegation have
already been granted bail by this Court, vide order dated
13.11.2014 passed in Cr. Misc. No.40871 of 2014 and order dated
15.6.2015 passed in Cr. Misc. No.16902 of 2015. The appellant is
in custody since 17.4.2017.

Heard learned Special P.P. also.

Having heard both sides in view of the above facts and
circumstances, this appeal is allowed.



Let the appellant above named, be released on bail on furnishing bail bonds of Rs.25,000 (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Special Judge, S.C./S.T., Gaya in connection with Bodh Gaya P.S.Case No.278 of 2013, after setting aside order dated 22.5.2017 passed by the court of learned Special Judge, S.C./S.T. Gaya in Bodh Gaya P.S.Case No.278 of 2013, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The appellant will not induce any witness or tamper with the evidence.
- (iii) The appellant shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution will be free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

chn/-

U			
---	--	--	--

