

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2152 of 2017

Arising Out of PS.Case No. -16 Year- 2017 Thana -AMARPUR District- BANKA

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1. Kalo Yadav S/o Chandra Yadav @ Chamru Yadav, R/o Village- Belsira,
P.S.- Fullidunmar, District- Banka.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajay Mukherjee, Advocate

For the Respondent/s : Mr. Usha Kumari No. 1, SPP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 18-09-2017 Heard learned counsel for the appellant and learned
Special P.P. for the State.

The appellant seeks regular bail in connection with G.R.
No. 135 of 2017 (arising out of Amarpur{Fullidumar} P.S. Case
No. 16 of 2017), registered under Sections 302/34 of the Indian
Penal Code and 27 of Arms Act and under Section 3(2), (v), of
SC/ST Prevention of Atrocities Act.

Allegation against the appellant is that the appellant
along with other co-accused persons assaulted the step-mother of
the informant on account of which she died.

It has been submitted on behalf of the appellant that no
specific allegation of assault against the appellant and he is in
custody since 18.01.2017.

Heard learned Special P.P. also.



Having heard both sides and considering the aforementioned facts and circumstances, this appeal is allowed, let appellant surrender before the Court of Special Judge within a period of four weeks and on his so surrendering the Court below will release him on furnishing bail bond of Rs. 25,000/- with two sureties of the like amount each to the satisfaction of the learned 1st, Additional Sessions Judge-cum-Special Judge, Banka in connection with G.R. No. 135 of 2017(arising out of Amarpur {Fullidumar} P. P.S. Case No. 16 of 2017, 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 adduce 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 is free to move for cancellation of his bail.

(iv) If the active involvement of the appellant in such type of cases is found in future, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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