

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2457 of 2017

Arising Out of PS.Case No. -125 Year- 2017 Thana -BARACHATTI District- GAYA

=====

1. Umesh Yadav, Son of Sri Dasrath Yadav, Resident of Village- Tetariya,
P.S.- Mohanpur, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Nilesh Kumar

For the Respondent/s : Mr. Binay Krishna

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 09-10-2017 The appellant seeks regular bail in connection with Barachatti P.S. Case No. 125 of 2017, registered for offences punishable under Sections 341, 302, 120-B/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2) of SC/ST (POA) Act.

Allegation against the appellant and other is of taking the husband of informant to Jungle and killed him by firing on him.

It has been submitted on behalf of the appellant that no specific allegation has been attributed to the appellant and other accused persons having similar allegation has already been granted bail by a coordinate Bench of this Court vide order dated 14.07.2017, passed in Cr. Misc No. 25161 of 2017 and 24518 of 2017 and appellant has been in judicial custody since 20.07.2017.



Learned Special P.P. as well as learned counsel for the informant opposed the prayer for bail, however, they could not controvert the fact that case of the co-accused Binod Yadav, who has been granted bail vide order aforementioned is similar to the present appellant.

Having heard both sides, considering the facts and circumstances of the case and also the fact that other co-accused of this case has already been granted bail by a coordinate Bench of this Court, this appeal is allowed and impugned order is set aside. Let the appellant above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, SC/ST Act, Gaya, in connection with Barachatti P.S. Case No. 125 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 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 is free to move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

sunil/-

U		T	
---	--	---	--

