

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2738 of 2017

Arising Out of PS.Case No. -31 Year- 2017 Thana -GOVINDPUR District- NAWADA

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1. Upendra Yadav son of Narayan Yadav, resident of Village- Mahakar,
P.S.- Govindpur, District- Nawada.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Man Mohan Kumar

For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-11-2017

Heard the parties.

The appellant seeks regular bail in Special (H) Case No.196 of 2017 arising out of Govindpur P.S.Case No.31of 2017 registered for the offence under Sections 288, 337, 338, 304A, 370, 371, 374, 504, 506 of the I.P.C., and Section 3(1), (R),(S) (H) of SC/ST(POA)Act.

Allegation against the appellant is of forcibly taking work from the informant and others and in course of work in his brick kiln two persons, i.e., son and the husband of the informant died.

Submission of the learned counsel for the appellant is that at best it is a case of negligence. The appellant is in custody for 2 ½ months and there is general and omnibus allegation of



abuse.

Heard learned Spl.P.P. also, it has been submitted that in this occurrence two persons died and five persons received injuries.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the appellant at this stage. However, trial court is directed that once charge is framed, and evidence commenced, he shall release the appellant on bail to his own satisfaction on the condition that he will appear on each date during trial and failure to appear on two consecutive dates without showing genuine reason, his bail bonds shall be cancelled.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

AnilKrSinha/-

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