

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2431 of 2017

Arising Out of PS.Case No. -637 Year- 2014 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

=====

1. Anil Yadav, Son of Kartik Yadav, Resident of Mohalla-Barari, I.T.I. ke Pichhe, P.S. Barari, District-Bhagalpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dr. Manoj Kumar

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 25-08-2017 Heard the parties.

The appellant seeks regular bail in connection with Kotwali (Barari) P.S.Case No.637 of 2014, registered for offences punishable under Sections 302, 201, 120B/34 of the Indian Penal Code and Section 3(x) of SC/ST (Prevention of Atrocities Act) Act.

The case is under Section 302 of the Indian Penal Code, however, it appears that the appellant is not named in the F.I.R. and his name transpired in the investigation on confession of the co-accused.

Submission of the learned counsel for the appellant is that except confession there is nothing against the appellant and he is in custody for more than two months.

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 2nd Additional District and Sessions Judge-cum-Special Judge, Bhagalpur in connection with Kotwali (Barari) P.S.Case No.637 of 2014, after setting aside order dated 22.7.2017 passed by the learned 2nd Additional District and Sessions Judge-cum-Special Judge, Bhagalpur passed in B.P.No.923 of 2017 in connection with Kotwali (Barari) P.S.Case no.637 of 2014, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be 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 co-operate in the disposal of trial and make himself available as and when required by the court concerned 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 bond.

(Vinod Kumar Sinha, J)

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