

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2973 of 2017

Arising Out of PS.Case No. -152 Year- 2015 Thana -DHARHARA District- MUNGER

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Sakhichand Yadav S/O Raghu Yadav, R/O Village Itwa, P.S. Dharhara,
District Munger.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Syed Mohammad Shabbir Alam

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-10-2017 Heard the parties.

The appellant seeks regular bail in connection with Dharhara P.S.Case No.152 of 2015 registered for offences punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code and Section 3(x)(ii)(v) of SC/ST (Prevention of Atrocities Act) Act.

Allegation against the appellant, as per FIR, is that the husband of the informant and his friend was coming with wine and appellant and other co accused snatched the wine from them and thereafter on the next day he went to them to realize the money but thereafter he has not returned and later on his dead body was found. He is named in the FIR. It appears that this is a case of double murder of the husband of the informant as well as his friend. The appellant is in custody since 17.3.2017.

Submission of the learned counsel for the appellant is that similarly situated other co-accused persons have been



released on bail, vide order dated 17.5.2017 passed in Cr. Appeal (SJ) No.1982 of 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 A.D.J. 1st, Munger in connection with Dharhara P.S.Case No.152 of 2015 after setting aside order dated 8.8.2017 passed by the learned A.D.J.-1, Munger in Dharhara P.S.Case No.152 of 2015, 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.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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