

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2215 of 2017

Arising Out of PS.Case No. -61 Year- 2017 Thana -BENIPATTI District- MADHUBANI

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Shankar Yadav @ Shankar Prasad Yadav son of Prabhu Yadav, resident of
village -Meghbaw (Nazra), PS-Benipatti, District-Madhubani.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anuj Kumar

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-08-2017 This appeal is for setting aside the order dated
14.06.2017 passed in B.P. No. 607 of 2017 and for grant of bail in
connection with Bennipatti P.S. Case No. 61 of 2017 registered for
the offence(s) under section(s) 420, 504, 506 of the Indian Penal
Code and section 3 (i) (r) (w) of the SC/ST Act.

Allegation against the appellant is of defalcation of
Rs. 10,000/- and when the informant demanded the said money,
she was abused by taking her caste name.

Submission of the learned counsel for the appellant is
that whole allegation is false and concocted and moreover the
appellant is in custody for about three months.

Heard learned Special Public Prosecutor.

Having heard both sides and in view of the facts and
circumstances, as stated above, this appeal is allowed and



impugned order dated 14.06.2017 passed in B.P. No. 607 of 2017 is hereby set aside.

Let the appellant, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Bennipatti in connection with Bennipatti P.S. Case No. 61 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 rhyme or reasons, the prosecution will have liberty to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

Mahesh/-

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