

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.593 of 2017

Arising Out of PS.Case No. -65 Year- 2015 Thana -SC/ST District- JAMUI

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Phuleshwar Yadav, Son of Late Debu Yadav, R/o Village – Sohjana, P.S. –
Jhajha, District – Jamui.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Amar Prakash

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

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 19-05-2017

The appellant seeks anticipatory bail in connection with SC/ST Jamui P.S. Case No. 65/15 for the offences punishable under Sections 323, 341, 452, 354(A), 504, 506 and 34 of the Indian Penal Code as well as under Section 3(i)(x)(xi) SC/ST Act.

It has been submitted on behalf of the appellant that though the appellant is named in the F.I.R, however no specific allegation of any overt act has been attributed to him. Further, the co-accused against whom, there are some allegations, has already been granted the privilege of pre arrest bail by this Court vide order dated 31.05.2016, passed in Criminal Miscellaneous No. 24363 of 2016 and his case is on better footing than that of co-accused.

Learned Special Public Prosecutor could not controvert the above facts.

Having heard both sides, considering the aforesaid facts and also other co-accused of this case has already been granted the



privilege of pre arrest bail, as such, this appeal is allowed. Let the appellant, above named, surrender before the court below within a period of six weeks, on which, the learned Court below shall release the appellant on furnishing bail bond of ₹25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM, 1st Jamui, in connection with SC/ST Jamui P.S. Case No. 65/15, subject to the conditions as laid down under Section 438(2) Cr.P.C, subject to the following conditions:-

- (i) One of the bailors of the appellant shall be local one, having sufficient immovable properties within the jurisdiction of the court concerned
- (ii) The appellant shall cooperate in the investigation and present himself as and when required by the police and on the event of failure on his part to appear before the police, his bail bond will be liable to be cancelled.

(Vinod Kumar Sinha, J)

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