

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1544 of 2017

Arising Out of PS.Case No. -5 Year- 2015 Thana -LADIYA TAND District- MUNGER

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Indal Yadav, S/o Jay Ram Yadav, Resident of Village- Mohgama, Police
Station- Laraiyatanrch, District- Munger.

.... Appellant

Versus

The State of Bihar.

.... Respondent

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Appearance :

For the Appellant/s : Mr. Amrendra Kumar, Advocate

For the Respondent/s : Mr. Binay Krishna, Special P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-07-2017 Heard learned counsel for the appellant and learned
Special P.P.

This appeal has been filed for setting aside the order dated 24.4.2017 passed by 1st Additional Sessions Judge, Munger in Bail Petition filed by the appellant in connection with Laraiyatanrh P.S.case No. 05 of 2015 instituted under Sections 302, 120B/34 of the Indian Penal Code and 3(iii)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and for grant of bail to the appellant.

Appellant is not named in the FIR and later on his name transpires during course of investigation.

It has been submitted on behalf of the appellant that except confessional statement of co-accused before police there is nothing against the appellant, rather the fact is that informant has filed a petition that appellant is innocent. It has also been submitted that appellant is in custody for more than six months.



Learned Special P.P. could not controvert the above submission.

Having heard both sides and in view of facts and circumstances, as stated above, let the appellant, named above, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Special Judge, SC/ST Act, Munger, in connection with Laraiyatanrh P.S.Case No. 05 of 2015, subject to the conditions that one of the bailors should be a local person having sufficient immoveable properties within the jurisdiction of the court concerned, he will co-operate in 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 reason, the prosecution is free to move for cancellation of his bail and further he will not induce any witness or tamper with the evidence.

The appeal is allowed and the impugned order is set aside.

(Vinod Kumar Sinha, J)

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