

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2128 of 2017

Arising Out of PS.Case No. -231 Year- 2015 Thana -BISFI District- MADHUBANI

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Shibu Yadav @ Shibu son of Singheshwar Yadav resident of village
Raghopur Itahar, P.S. Bisphi (Patauna), District Madhubani.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shailendra Kumar Jha

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 20-09-2017 Heard the parties.

The appellant seeks regular bail in connection with
Bisfi P.S.Case No.231 of 2015 corresponding to G.R.No.132 of
2015 registered for offences punishable under Section 341, 323,
324, 307, 504, 377/34 of the Indian Penal Code and Section 3(x)
of SC/ST (Prevention of Atrocities Act) Act.

Appellant has been made accused in a case under
Section 377/34 of the Indian Penal Code and later on Section 302
of the Indian Penal Code has been inserted, as the person has died.

Submission of the learned counsel for the appellant is
that except suspicion there is nothing against the appellant and the
another co-accused person having similar allegation has already
been granted bail vide order dated 20.6.2016 passed in Cr. Misc.
No.25409 of 2016. The appellant is in custody since 25.10.2016.



Heard learned Special P.P. also, who has not controverted the above submissions.

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 Sri R.K. Rajak, J.M. 1st Class, Benipatti, Madhubani in connection with Bisfi P.S.Case No.231 of 2015 after setting aside order dated 7.4.2017 passed by the learned 1st Addl. Sessions Judge, Madhubani in B.P.No.04 of 2017, 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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