

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3358 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -SHANKARPUR District- MADHEPURA

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Chandra Bhushan Yadav @ Banti Yadav @ Banty Yadav, son of Birendra Yadav, resident of Village- Kabiyahi Tola, Moura Baghla, P.S. Shankarpur, District- Madhepura.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Amarnath Jha

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 24-01-2018 Earlier prayer for bail of the appellant has been rejected by this Court in Cr.Appeal(SJ) No. 2332 of 2017 with a liberty to the appellant to renew his prayer for bail before the Special Court once the prosecutrix has been examined.

Submission of learned counsel for the appellant is that the prosecutrix has already been examined and she has not identified any person and further submission is that on that ground co-accused Santosh Yadav has been granted bail by this Court in Cr.Appeal (SJ) No. 3362 of 2017, vide order dated 6.12.2017 and another co-accused Gopal Yadav has also been granted bail by a co-ordinate Bench of this Court in Cr.Appeal(SJ) No. 200 of 2018, vide order dated 19.1.2018.

Heard learned Special P.P.



In the facts and circumstances, the appeal is allowed and the impugned order dated 8.11.2017 passed by Special Judge, SC/ST Act, Madhepura is set aside.

Let appellant, named above, be released 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, Madhepura, in connection with Shankarpur P.S.Case No. 17 of 2017 (H.A.No. 121/17), subject to the conditions that (1) one of the bailors shall be a local person having sufficient immovable property within the jurisdiction of court concerned and (2) he will co-operate in trial and appear in court as and when required, except genuine ground, otherwise his bail bond shall be liable to be cancelled.

(Vinod Kumar Sinha, J)

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