

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.692 of 2018

Arising Out of PS.Case No. -449 Year- 2017 Thana -BARACHATTI District- GAYA

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Krishna Yadav @ Krishna Jadav, son of Late Ghamandi Yadav, Resident of
Village- Ganesh Chak, Police Station- Barachatti (Mohanpur), District-
Gaya.

.... Appellant/s

Versus

The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Manish Kumar No-2, Advocate.

For the Respondent/s : Mr. Sadanand Paswan, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 23-05-2018 Heard learned counsel for the Appellant and learned
Spl. P.P. for the State.

This Appeal has been preferred against the impugned
order dated 31.10.2017 passed by the learned **Special Judge**
SC/ST Act, Gaya, in connection with Barachatti (Mohanpur)
P.S. Case No. 449 of 2017 registered for the offence under
Sections 363, 365 of the Indian Penal Code and Section 3 (2) (va)
of SC/ST Act, 2015 by which the prayer for bail of the Appellant
has been rejected.

In the written report there is allegation that husband of
the informant had gone with this Appellant and co-accused Video
Yadav and he did not return.

Learned counsel for the Appellant has submitted that



the Appellant is in custody since 31.10.2017. It has further been submitted that besides the allegation of last seen, there is no allegation of any specific overt act against the Appellant.

In the facts and circumstances of the case, this Appeal is allowed and the impugned order dated 31.10.2017 passed by the learned Special Judge, SC/ST Act, Gaya, in connection with Barachatti (Mohanpur) P.S. Case No. 449 of 2017, is hereby set aside.

Let the Appellant above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge SC/ST Act, Gaya, in connection with Barachatti (Mohanpur) P.S. Case No. 449 of 2017, subject to the condition that both the bailors will be the close relatives of the Appellant.

(Sanjay Priya, J)

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