

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1693 of 2018

Arising Out of PS.Case No. -376 Year- 2017 Thana -TEKARI District- GAYA

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Siya Sharan Yadav, son of Lala Yadav, resident of village- Matai, P.S.-
Tekari (Panchanpur), 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 : Smt. Usha Kumari No-1, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 24-05-2018

Heard learned counsel for the Appellant and learned

Spl. P.P. for the State.

This Appeal has been preferred against the impugned order dated 26.04.2018 passed by the learned **Special Judge, SC/ST Act, Gaya, in connection with Tekari (Panchanpur O.P.) P.S. Case No. 376 of 2017** registered for the offence under Sections 302/34 of the Indian Penal Code and Section 3 (i) (r) (s), (2) (v) of SC/ST Act, by which the prayer for bail of the Appellant has been rejected.

Learned counsel for the Appellant has submitted that Appellant has no criminal antecedent. The Appellant is in custody since 18.04.2018.

In the written report mere suspicion has been raised against the Appellant. The informant has alleged that he found his



wife murdered by cutting her neck with sharp weapon while she was sleeping. The informant has raised suspicion against the Appellant in the First Information Report because there was some dispute between the wife of the informant and Appellant on account of transaction of money between them.

In the facts and circumstances of the case, this Appeal is allowed and the impugned order dated 26.04.2018 passed by the **Special Judge, SC/ST Act, Gaya, in connection with Tekari (Panchanpur O.P.) P.S. Case No. 376 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 Tekari (Panchanpur O.P.) P.S. Case No. 376 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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