

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.462 of 2020

Arising Out of PS. Case No.- Year-0 Thana- GOPALPUR District- Bhagalpur

Shekhchilly Yadav, aged about 58 years (m), Son of Late Jago Yadav Resident
of Village - Choti Parbatta, P.O. and P.S.- Gopalpur, District- Bhagalpur

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Anupa Nand Jha

For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

5 11-11-2020 Heard Mr. Anupa Nand Jha, learned counsel for the
appellant and Mr. Binay Krishna, representing the State.

The present memo of appeal has been filed by the
appellant for grant of bail in connection with Gopalpur
(Ismilepur/Naugachiya [out post]) P.S. Case No. 55 of 1993
registered for offence under Sections 147, 447, 323, 379 of the
Indian Penal Code.

Learned counsel for the appellant submits that earlier
the appellant was granted bail but, the bail bond was canceled on
21.8.2002 and, against it, the non-bailable warrant (N.B.W.) was
issued on 29.8.2002 and the court has taken steps under Section 82
& 83 of the Cr.P.C. and the appellant was declared absconder on
15.12.2012.

Learned counsel for the petitioner submits that the
appellant surrendered on 26.10.2019 and since then he is



languishing in judicial custody. He further submits that the petitioner is ready to cooperate in the early disposal of the case without any exception.

Looking to the period of custody and the statements made at bar, 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 3rd Additional District & Sessions Judge cum Special Judge SC/ST Act, Bhagalpur in connection with Gopalpur (Ismilepur) Naugachiya [out post] P.S. Case No. 55 of 1993 arising out of G.R. No. 143A/93, subject to the condition that (i) one of the bailors shall be a close relative of the appellant (ii) if the appellant is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail and (iii) the appellant would cooperate the proceeding of the court below. In event of failure to appear on two consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds.

(Shivaji Pandey, J)

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