

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.2917 of 2021**

Arising Out of PS. Case No.-402 Year-2019 Thana- MADHEPURA District- Madhepura

Santosh Yadav S/o Yogendra Yadav @ Mangan Yadav Resident of Village-  
Sahugardh- 2, Bhatu Tola, P.S.- Madhepura, District- Madhepura

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Sanjay Kumar Singh,Adv.  
For the Respondent/s : Smt. Usha Kumari,Spl.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2. 22-07-2021 Heard learned counsel for the appellant and learned  
Special P.P. for the State through video conferencing.

The present appeal has been filed against order dated 24.03.2021 passed by learned A.D.J.-I cum Special Judge, SC/ST Act, Madhepura in SC/ST Case No. 240 of 2019 (Supplementary), arising out of Madhepura P.S. Case No. 402 of 2019, registered for the offence punishable under Sections 302, 201, 120(B), 411 of the Indian Penal Code and Section 3(2)(v) of SC/ST Act, whereby the prayer for bail of appellant has been rejected.

As per the prosecution case, some unknown persons committed the murder of Kari Sada, who was driver of tractor-cum-trailer of the informant.

Appellant is not named in the FIR. The name of



appellant has come during course of investigation on the confessional statement of co-accused Vikram Kumar. Only material, which has come against the appellant, is that he alongwith other accused persons were talking about the sale of the stolen tractor-cum-trailer. Save and except this, there is no other material against the appellant. There is no eye-witness to the occurrence and appellant is in custody since 08.03.2021.

Considering the aforesaid facts & circumstances as well as nature of allegation, the impugned order dated 24.03.2021 is, hereby, set aside and appeal is allowed.

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 A.D.J.-I cum Special Judge, SC/ST Act, Madhepura in connection with SC/ST Case No. 240 of 2019 (Supplementary), arising out of Madhepura P.S. Case No. 402 of 2019.

**(Prabhat Kumar Singh, J.)**

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