

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1879 of 2020

Arising Out of PS. Case No.-248 Year-2018 Thana- DHARHARA District- Munger

MATUKI YADAV Son of Basudev Yadav Resident of Village - Nimiya Tola,
P.S. - Dharhara, Distt. - Munger.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Jyoti Ranjan Jha, Adv.
For the Respondent/s : Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 03-02-2021 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

The appellant by this application has renewed his prayer for bail in connection with Dharhara P.S. Case no. 248 of 2018 (Sessions Trial no. 24 of 2019), registered under sections 302, 120B, 201, 363 and 370 of the Indian Penal Code and sections 3(2)(v) and 3(1)(r) & (s) of the SC/ST Act.

It is submitted by learned counsel for the appellant that the earlier application for bail of the appellant was rejected vide order dated 18.9.2019 (Annexure-1) passed in Cr. Misc. no. 34522 of 2019. It is further submitted that the appellant is in custody since 25.9.2018. With respect to the earlier order, rejecting the application for bail of the appellant, it is submitted that it is not correct that on the basis of confessional statement



of the appellant Matuki Yadav, the dead body had been recovered. It is submitted that on a raid being conducted in the house of co-accused Rana Yadav, he confessed before the police that Matuki Yadav had brought the deceased who was killed by Rana Yadav and Niro Ram. It is further stated that the said Rana Yadav has been enlarged on bail vide order dated 30.4.2019 passed in Cr. Misc. No. 8653 of 2019.

The appeal is opposed by learned Special Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the appellant together with the appellant being in custody since 25.9.2018, the Court is inclined to enlarge the appellant on bail. The above named appellant is directed to be enlarged on bail in connection with Dharhara P.S. Case no. 248 of 2018 (Sessions Trial no. 24 of 2019) on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Munger.

It is further directed that the appellant shall remain personally present in Court on each date of the trial and in case of non-cooperation on part of the appellant, the Trial Court may cancel the bail bond of the appellant and take him into custody



till conclusion of the trial.

(Partha Sarthy, J)

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