

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.911 of 2021**

Arising Out of PS. Case No.-5 Year-2014 Thana- KAUWAKOL District- Nawada

PRAVEEN YADAV, Son of Late Bhagirath Yadav, Resident of Village-
Benipur, P.S.- Rupow, District- Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Man Mohan Kumar
For the Respondent/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 26-02-2021 Heard learned counsel for the appellant and learned
Special P.P. for the State.

The appeal has been filed by the appellant against the order dated 08.09.2020 by the learned 1st Additional Sessions Judge cum Special Judge S.C./S.T. Act, Nawada whereby the prayer for bail of the appellant, in connection with B.P. No. 1590/2020 arising out of Kauwakole (Rupo O.P.) P.S. Case No. 05/2014 registered for the offences under Sections 147, 148, 149, 302, 201, 504 of the Indian Penal Code, Section 27 of the Arms Act as well as Sections 3 (2)(iv) (v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act was rejected.

Allegation against the appellant alongwith other accused persons is of committing murder of the husband of the



informant and the dead body of the deceased has been disappeared. The accused persons also abused the informant and his family members.

Learned counsel for the appellant submits that the appellant is innocent and has been committed no offence in this case. There is no specific allegation against the appellant. There is specific allegation against co-accused Laxman Yadav has assaulted by farsa blow on the head of the husband of the informant due to which he injured and died. The charge has been framed against the appellant. The appellant is in custody since 14.08.2020. The similarly situated co-accused have been granted bail by this court which is at Annexures 2 and 3 Series of the bail application.

Learned Special P.P. for the State opposed the prayer for bail.

Considering the aforesaid facts and circumstances of this case, let the appellant, above named is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge cum Special Judge SC/ST Act, Nawada in connection with B.P. No. 1590/2020 arising out of Kauwakol (Rupo OP) P.S. Case No.



05/2014; subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall full cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

Accordingly, the order dated 08.09.2020 is set aside and this appeal is allowed.

(Anjani Kumar Sharan, J)

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