

IN THE COURT OF ADJ-1 CUM SPECIAL JUDGE KAIMUR AT BHABUA

SC/ST Case No. 05 of 2022

SC/ST Bhabua P.S. Case No. 31 of 2021

State V/s Rahul Yadav & Others

22.12.2021 A surrender cum bail petition is filed on behalf of accused (1) Shyamlal Yadav (2) Umesh Yadav in connection with SC/ST Bhabua P.S. Case No. 31 of 2021 filed u/s 341, 323, 379, 504, 506, 34 of I.P.C and 3(1)(r) (s)/ 3(2)(va) of SC /ST Act. Perused. Keep it with record and produce when moved.

Sd./-

Spl. Judge.

Kaimur at Bhabhua

Later On 22/12/2021 Ld. Advocate of petitioner/accused as well as Ld. SPP of State is present. Learned S.P.P. certifies that a prior notice of the present bail petition has been served on the victim.

It is submitted that no other regular or anticipatory bail petition on behalf of the petitioners is pending either in this court or in any superior court and the petitioners have no criminal antecedents. These assertions have been affirmed by the Ld. Spl. P.P.

The above mentioned petitioner/accused are present in person before the court. Learned counsel on their behalf submits that they have not committed any offence, are quite innocent & have been falsely implicated in the case. That no case u/s 3(1)(r) (s) / 3(2)(va) of SC/ST Act is made out against the petitioners and other sections alleged except section 379 of IPC are bailable in nature. The allegation u/s 379 of IPC has been superfluously added to make the offence grave and non bailable in nature. That the petitioners undertake to cooperate in the investigation and trial of the case. The co-accused carrying similar allegation have already been released on bail. The petitioners also deserve to be granted bail on the principle of parity.

The learned Spl. P. P. opposed the bail petition.

Heard the counsels and perused the record. Also heard the petitioners present in person before the court. Considering the submissions advanced by the respective learned counsels in the totality of facts and circumstances of the case, I find it proper to allow the present bail petition. The petitioners are directed to be released this submission of bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each, subject to the satisfaction of this court. The petitioners shall file an undertaking to the effect that they will cooperate in the investigation and trial of the case and shall remain present on each and every date of hearing. The office is directed to verify and accept the bail bond complying with the social distancing norms issued by the Government and Hon'ble High Court.

(Dictated)

Sd./-

Spl. Judge.

Kaimur at Bhabhua

