

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1017 of 2017

Arising Out of PS.Case No. -255 Year- 2016 Thana -WAJIRGANJ District- GAYA

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1. Rajesh Yadav Son of Ram Sharan Yadav resident of Village- Kenor ,
Paharpur, Police Station- Wazirganj, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Manish Kumar No-2

For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-05-2017 By way of this memo of appeal, preferred under Section 14A(2) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities)Act, 2016, appellant seeks for setting aside the order dated 28.02.2017, passed in Wazirganj P.S. Case No. 255 of 2016 by the learned Exclusive Special Court (Special Judge) SC/ST, Gaya, whereby and whereunder, appellant's application for bail has been rejected.

Allegation against the appellant is that he along with others armed with rifles were ploughing the planted crops of paddy by tractor in the field of the informant and when the informant objected, appellant and others assaulted the informant and his wife and abused them by calling their caste names and also threatened to kill them.



Learned counsel for the appellant submitted that so far other Sections of Indian Penal Code is concerned, they are bailable offence except the allegation levelled under Section 3(i)(x) of SC/ST Prevention of Atrocities Act. Moreover, appellant has now remained in judicial custody for more than three months.

Heard learned Special Public Prosecutor also.

Having heard both sides, considering the facts and circumstances of the case, appellant, Rajesh Yadav is directed to be released on bail on furnishing bail bond of Rs. 25,000 (Twenty Five Thousand) with two sureties of like amount each to the satisfaction of learned Exclusive Special Court (Special Judge) SC/ST, Gaya, in connection with Wazirganj P.S. Case No. 255 of 2016, after setting aside the order dated 28.02.2017, passed by the learned Exclusive Special Court (Special Judge) SC/ST, Gaya.

Accordingly, this appeal is allowed.

(Vinod Kumar Sinha, J)

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