

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1494 of 2017

Arising Out of PS.Case No. -39 Year- 2014 Thana -KOTHIGRAM District- GAYA

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1. Lakhraj Yadav, Son of Kalpu Yadav, Resident of Village- Bara, P.S.
Kothi, District Gaya.

.... Appellant/s

Versus

1. The State of Bihar.
2. Barti Devi Wife of Late Ujagar Bhuian, Resident of Village- Bara, P.S.
Kothi, District Gaya.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. S. Jamil Akhtar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 19-01-2018 Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail by the learned Special Judge (S.C./S.T.), Gaya in Kothi P.S. Case No. 39 of 2014 registered under Sections 302/34 of the Indian Penal Code and 27 of Arms Act as well as under Section 3(1) (x) of the SC/ST (Prevention of Atrocities) Act.

Submission of the learned counsel for the appellant is that though the appellant is named in the FIR as a member of unlawful assembly, however, specific allegation is against co-accused Sanjay Yadav to have slit the throat of the husband of the



informant. The appellant is in custody since 30.11.2016 and the trial has not concluded as yet.

Learned counsel for the State opposed the prayer on the ground that appellant is an absconder for some time.

Considering the period already undergone, let the appellant, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with the aforesaid case, subject to the condition that the appellant shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

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