

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3122 of 2018

Arising Out of PS.Case No. -186 Year- 2017 Thana -SONBERSA District- SAHARSA

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Naresh Yadav son of late Poli yadav, R/o. village- Khajuraha, Ward No.6, P.S. Sonbarsa, District- Saharsa

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Ms. Rashmi Jha, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 27-08-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for bail vide order dated 23.07.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Saharsa, in SC/ST Case No.463 of 2017, arising out of Sonbarsa Raj Police Station Case No.186 of 2017, registered under Sections 379/382 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR of the occurrence of theft is against unknown.

Submission is that the appellant was apprehended in



this case on suspicion and he is in custody since 27.06.2018. Nothing was recovered from the possession of the appellant nor he was ever put on Test Identification Parade during investigation. Investigation of the case is already complete.

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

Accordingly, the impugned order is set aside and appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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