

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3227 of 2017

Arising Out of PS.Case No. -94 Year- 2014 Thana -BARIYARPUR District- MUNGER

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1. Pochan Yadav @ Nilesh Yadav, S/o Surendra Yadav, R/o Village-Ghoraghat, P.S.-Baryarpur, District-Manager.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sandeep Kumar, Adv.

Mr. Satish Kumar Sinha, Adv.

For the Informant : Mr. Ramakant Singh, Sr. Adv.

Mr. Digvijay Narayan Singh, Adv.

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 17-01-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for **regular bail** by the learned Special Judge-cum-Additional District Judge, 1st, Munger in Bariyarpur P.S. Case No. 94 of 0214 registered under Sections 147, 148, 149, 457, 302 of the Indian Penal Code, Section 27 of the Arms Act as well as Section 3(1) (viii) (x) (xv) of the SC/ST Act.

The appellant is the main assailant. He is in custody since 06.09.2014. Earlier the appellant was prosecuting the matter that he is juvenile which was finally turned down.



Submission is that the charges were framed on 23.05.2016 and no prosecution witnesses have examined thereafter till date.

Learned counsel for the informant opposes the prayer for bail. However, does not dispute that no prosecution witness has examined up till now.

Hence, 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 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 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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