

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4271 of 2018

In
Criminal Miscellaneous No.56316 of 2018

Arising Out of PS. Case No.-146 Year-2014 Thana- ARIYARI District- Sheikhpura

Sitaram Yadav, Son of Late Baidyanath Yadav, Resident of Village Mai
Amarpur, P.S. Ariyari, District Sheikhpura

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Pankaj Kumar

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 14-12-2018

Learned counsel for the appellant seeks
permission to make necessary correction in the memo of appeal.

Prayer is allowed.

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 vide order dated 07.08.2018 in
SC/ST Case No. 07 of 2018 passed by the learned 1st Additional
Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act,
Sheikhpura in connection with Ariyari P.S. Case No. 146 of 2014
registered under Sections 302/34 of the Indian Penal Code, Section
27 of the Arms Act as well as Section 3(2)(v) of the SC/ST Act.

Two persons allegedly fired at the father of the



informant. The father of the informant disclosed to the informant that firing of Ajay Yadav had hit him. Subsequently, he died. Appellant is in custody since 29.07.2018. Investigation of the case is complete. Appellant has stated on oath that he has got no criminal antecedent. There is no allegation of tampering with the evidence.

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 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/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	15.12.2018
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