

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4465 of 2018

Arising Out of PS. Case No.-265 Year-2018 Thana- KHAGARIA District- Khagaria

Nitish Yadav S/o Mantun Yadav Resident of Village- Gangia, P.S.
Gangaur(Khagaria), District- Khagaria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ranjeet Kumar Singh, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 13-12-2018

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 03.11.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Khagaria, in connection with Khagaria (Gangaur) Police Station Case No.265 of 2018, registered under Sections 341/323/307/504/506/448/34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(i) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The case diary reveals that for land dispute co-



accused Dilip Yadav and Kare Lal Yadav caught hold and Mantun Yadav fired causing injury at the chest of the son of the informant.

Though the appellant is named in the FIR but no overt-act is alleged against him. Hence, 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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