

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4548 of 2018

Arising Out of PS. Case No.-200 Year-2018 Thana- NARDIGANJ District- Nawada

Munna Yadav, S/o Raj Kumar Yadav, Resident of Village – Sandohra, P.S.-
Nardiganj, District- Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Ram Prasad Singh
For the Respondent/s	:	Mr. Binay Krishna
For the Informant	:	Mr. Birendra Kumar

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 18-12-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 06.11.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Nawada in Bail Petition No.2138 of 2018, arising out of Nardiganj Police Station Case No.200 of 2018 registered under Sections 147, 148, 149, 341, 323, 325, 307, 354B, 379, 452, 504, 506 of the Indian Penal Code and Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is of commission of injury with *Gandasa* at the head of *Rajendra Choudhary*. The Doctor has found a lacerated wound at the middle of the scalp of *Rajendra Choudhary* caused by hard and blunt substance.



Submission is that injury report is not consistent with the prosecution evidence, so far as the use of weapon is concerned. Appellant has got no criminal antecedent. The appellant is in custody since 19.10.2018. Investigation of the case is already complete against the appellant.

Learned counsel for the informant opposed the prayer for bail on the ground that appellant has caused injury at the vital part of the body of *Rajendra Choudhary*.

Considering the nature of allegation and 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/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 this appeal stands allowed.

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	NAFR
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