

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2428 of 2018

Arising Out of PS. Case No.-821 Year-2017 Thana- BANKA District- Banka

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Rajesh Yadav @ Shambhu Yadav @ Rajesh Kumar, S/o Mohril Yadav, R/o
Mohalla- Vijay Nagar, Ward No. 21, P.S.- Banka, District- Banka.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Rajiv Kumar Singh
For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-08-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2016 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 29.05.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Banka in Banka Police Station Case No.821 of 2017, corresponding to G.R. No.4018 of 2017 registered under Sections 302/34 of the Indian Penal Code as well as Section 3(ii)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The informant suspects that the appellant and others have committed murder of his son due to previous dispute.



Learned counsel for the appellant submits that the appellant is in custody since 20.05.2018 and only material is suspicion against the appellant.

Considering the fact that there is no witness of occurrence, 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/-

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