

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3148 of 2018

Arising Out of PS.Case No. -168 Year- 2016 Thana -MOUZAHDIPUR District- BHAGALPUR

=====

Brajesh Yadav S/o. Rajendra Yadav, R/v. Safrullah Chak, P.S. Babarganj,
Bhagalpur

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anita Kumari Singh, Advocate

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 24-09-2018

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 05.07.2018 passed by the learned 3rd Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Bhagalpur, in Sessions Trial No.418 of 2017, arising out of Mojahidpur (Babarganj) Police Station Case No. 168 of 2016, registered under Sections 302/201/34 of the Indian Penal Code and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to FIR, for land dispute murder was committed. Appellant is not named in the FIR whereas some others are suspected to have committed the crime. Name of the appellant



surfaced in the confessional statement of co-accused Manna Yadav.
Appellant is in custody since 02.01.2017.

Considering the nature of material and the period already undergone, 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
Uploading Date	27.09.2018
Transmission Date	27.09.2018

