

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3531 of 2018

Arising Out of PS. Case No.-184 Year-2014 Thana- DIDARGANJ District- Patna

Uttam Singh Yadav son of Lal Bihari Singh Yadav, R/o. Sonawa P.S.
Didarganj, District- Patna

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manoj Kumar Pandey, Advocate
For the Respondent/s : Smt Usha Kumari No-1, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 07-12-2018

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 06.08.2018 passed by the learned Additional Sessions Judge-IV-cum-Special Judge (S.C./S.T. Act), Patna, in Special Case No.352 of 2016, arising out of Didarganj Police Station Case No.184 of 2014, registered under Sections 384/386/302/34 of the Indian Penal Code and Sections 3(i)(x)/3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation is that appellant and two others caughthold on the son of the informant and others assaulted with dagger causing injury and death.



Submission is that the appellant is in custody since 07.05.2018. Investigation of the case is already complete. Appellant has got no criminal antecedent. There is no allegation of tampering with the evidence.

Learned counsel for the informant opposed the prayer for bail on the ground that specific overt-act is alleged against the appellant.

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/- (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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