

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.478 of 2018

Arising Out of PS.Case No. -16 Year- 2017 Thana -AMARPUR District- BANKA

- =====
1. Balmiki Yadav, Son of Late Lakhan Yadav,
 2. Nitya Nand Yadav, Son of Late Lakhan Yadav, Both resident of Village- Balsira, P.S.- Fullidumar, District- Banka.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Brij Nandad Prasad

For the Respondent/s : Mr. Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 19-02-2018

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 by the learned 1st Additional Sessions Judge-cum-Special Judge, Banka in Amarpur (Fullidumar) P.S. Case No. 16 of 2017 registered under Sections 302/34 of the Indian Penal Code, Section 27 of the Arms Act as well as Section 3(2)(v) of the SC/ST Act.

Allegation against the appellants is that the appellants along with other co-accused persons assaulted the step-mother of the informant as a result whereof she died.

It has been submitted on behalf of the appellants that no specific allegation of assault is against the appellants and



they are in custody since long.

Considering the aforesaid facts, let the appellants, above named, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each 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 appellants shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, this appeal stands allowed.

(Birendra Kumar, J)

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