

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3189 of 2018

Arising Out of PS. Case No.-53 Year-2018 Thana- SALAKHUA District- Saharsa

=====

Ganesh Yadav, Son of Suraj Yadav @ Suraj Narain Yadav, Resident of
Village- Parasbani, P.S. Salkhua, District- Saharsa.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Shiva Shankar Sharma
For the Respondent/s : Smt. Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 04-09-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(2)(a) 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 03.07.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge-In-charge, Saharsa in Special Case No.87 of 2018, arising out of Salkhua (Banma Ithari O.P.) Police Station Case No.53 of 2018 registered under Sections 341, 323, 325, 379, 354, 307, 504/34 of the Indian Penal Code as well as Section 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



For old land dispute the appellant and his full brother allegedly assaulted to the informant and committed theft of belongings on her person.

Submission is that false implication is there just to pressurize in the land dispute.

Considering the nature of allegation and the fact that investigation of the case is already complete, 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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Transmission Date	

