

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3127 of 2018

Arising Out of PS.Case No. -268 Year- 2018 Thana -ARA NAWADA District- BHOJPUR

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1. Ram Bihari Yadav, Son of Late Shobha Naht Yadav, Resident of Village-
Kalyanpur, P.S. Bihiya, District- Bhojpur.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Prabhat Kumar Singh, Advocate

For the Respondent/s : Mrs. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 01-10-2018

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 22.06.2018 passed by the learned 1st Additional Sessions Judge, Ara, in SC/ST Case No.107 of 2018, arising out of Ara Nawadah Police Station Case No.268 of 2018, registered under Section 302/34 of the Indian Penal Code and Section 3(2)V of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

On the occasion of marriage ceremony, two parties quarreled and started assault against each other. The assault caused death of the son of the informant.



Submission is that the allegation is general and omnibus against the appellant and others. No one claims to have seen the occurrence, which would be evident from the case-diary. The appellant has got clean antecedent. He is in custody since 01.05.2018. Investigation of the case is already complete.

Considering the fact that there is no eyewitness of the occurrence and the period already undergone by the appellant, 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
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