

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4596 of 2018

Arising Out of PS. Case No.-105 Year-2017 Thana- GAYA MUFASIL District- Gaya

Jitendra Kumar @ Jitendra Yadav @ Jitendra Kumar Yadav, Son of Late
Chandrika Yadav, resident of Village- Gaura, P.S.- Mufasil, District- Gaya.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Kiran Sinha
For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 20-12-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 16.11.2018 passed by the learned Special Judge, S.C./S.T. Act, Gaya in Muffasil Police Station Case No.105 of 2017 registered under Sections 147, 148, 149, 341, 323, 325, 307, 302 of the Indian Penal Code and Sections 3(2)(v)(a)/3(2)(v)(b)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

The appellant is in custody since 07.10.2017. Allegation is that the appellant along with others assaulted to the parents of the informant with *lathi* etc., as a result whereof they died. The



occurrence was committed due to some affairs between a girl and a boy of the two families.

Earlier prayer for regular bail was refused on 01.02.2018 with direction to the trial Judge to conclude the trial within nine months and in failure the appellant was allowed to renew the prayer before the court below itself.

The impugned order dated 16.11.2018 would reveal that only five prosecution witnesses have been examined up till now.

Considering the entire facts, 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 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/-

AFR/NAFR	NAFR
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