

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2442 of 2018

Arising Out of PS.Case No. -207 Year- 2018 Thana -BARACHATTI District- GAYA

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1. Umesh Yadav, Son of Dasrath Yadav, Resident of Village- Tetaria, P.S.-
Barachatti, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ajay Kumar Thakur, Adv

: Mr. Nilesh Kumar, Adv.

For the Respondent/s : Mr. Vinay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-08-2018

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 by order dated 16.05.2018 by the learned Exclusive Special Judge (S.C./S.T.), Gaya, in connection with Barachatti Police Station Case No.207 of 2018 registered under Sections 342, 323, 354-B, 504, 506 of the Indian Penal Code , Section 27 of the Arms Act and Section 3(i)(r) (w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The appellant and others allegedly abused and assaulted to the informant to pressurize withdrawal of



Barachatti P.S.Case No.125 of 2017.

Submission is that for cancellation of bail of the appellant and others in the aforesaid case, the present FIR has been falsely lodged. The appellant and others are already on bail in that case.

Considering the aforesaid fact, 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 both bailors shall be resident of territorial jurisdiction of the learned court below and further 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)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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