

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1489 of 2018

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

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1. Arjun Yadav, S/o Chamran Yadav @ Chamru Yadav, R/o Vill.- Gaura, P.S.-
Mufassil, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Gouranga Chatterjee, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 04-05-2018

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 the learned Special Judge (S.C./S.T. Act), Gaya, in connection with 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, 1989.

The allegation of commission of assault, which resulted in death of the parents of the informant, is against other named accused persons. Though the appellant was a member of the unlawful assembly. However, no overt-act is specifically alleged



against the appellant.

Hence, 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./Sanjeev

AFR/NAFR	NAFR
CAV DATE	NA
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