

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Appeal (SJ) No.2732 of 2018**

Arising Out of PS.Case No. -null Year- null Thana -null District- PURNIA

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1. Babloo Yadav, Son of Sri Sukdeo Yadav @ Sukhdeo Yadav @ Sugdev  
Yadav, resident of Village - Sراسي, P.S. - Sراسي, District - Purnea.

.... .... Appellant/s

Versus

1. The State of Bihar.

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**

**ORAL JUDGMENT**

**Date: 13-08-2018**

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 20.06.2018 in Special SC/ST Case No. 173 of 2017 passed by the learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Purnea in connection with Sarsi P.S. Case No. 32 of 2016 registered under Sections 302, 201/34 of the Indian Penal Code as well as Section 3(1)(x) of the SC/ST Act.

The FIR was lodged on recovery of the dead body of the son of the informant whose murder was committed. The appellant is under suspicion.

The impugned order was passed after perusal of the case



diary which would reveal that there is no eye-witness of the occurrence before the police.

Learned Special Public Prosecutor opposed the prayer for bail.

Considering the fact that only material against the appellant is suspicion, 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)**

Kundan/-

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| AFR/NAFR          | N.A.       |
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