

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2151 of 2018

Arising Out of PS. Case No.-50 Year-2018 Thana- KHAIRA District- Jamui

Rakesh Yadav, S/o Ramotar Yadav, resident of Village- Darima, Police Station- Khaira, District- Jamui.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Amrendra Kumar

For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 06-08-2018

Heard learned counsel for the parties.

Learned counsel for the appellant has prayed that inadvertently the name of Jamui Police Station Case No.343 of 2017 has been wrongly typed in place of Khaira Police Station Case No.50 of 2018 in the prayer portion of the bail petition. Hence he may be allowed to correct the same.

Prayer is allowed.

This is an appeal under Section 14A(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 16.05.2018 passed by the learned Additional Sessions Judge-1st-cum-Special Judge, Jamui in Khaira Police Station Case No.50 of 2018, corresponding to Sessions Trial (S.C./S.T.) Case No.45 of 2018 registered under Sections 447, 341, 323, 325, 384, 386, 354, 506, 504 of the Indian Penal Code as well as Section 3(1)



(r)/3(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Allegation against the appellant is that initially he demanded ransom from the son of the informant and on refusal allegedly committed assault and theft. The appellant caused injury at the head of the informant as well as caused fracture of right hand. The appellant is in custody since 16.02.2018.

Submission is that no ransom was paid and the criminal antecedents of the appellant referred in para 3 of the bail petition are of trivial nature. Investigation of the case is already complete.

Considering the nature of allegation and period already undergone, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) each 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)

abhishek/-

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Uploading Date	
Transmission Date	

