

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3356 of 2018

Arising Out of PS.Case No. -205 Year- 2018 Thana -KATEYA District- GOPALGANJ

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1. Wakil Yadav S/o Moti Chand Yadav @ Motichandra Yadav @ Motilal Yadav,
R/o Vill.- Bankatiya Tola Tand, P.S.- Kateya, District- Gopalganj.

.... Appellant

Versus

1. The State of Bihar

.... Respondent

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Appearance :

For the Appellant/s : Mr. Lokesh Kumar Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 11-10-2018

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 anticipatory bail vide order dated 07.08.2018 passed by the learned 1st Additional Sessions Judge, Gopalganj, in A.B.P. No. 1209 of 2018, arising out of Kateya Police Station Case No. 205 of 2018, registered under Section 302 of the Indian Penal Code and Sections 3(i)(x)(xi)(xiii)/2(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Wife of the informant died due to accident with the motorcycle of the appellant. Allegation is that the appellant had threatened in the past, hence, he deliberately caused the accident.



Learned counsel for the appellant submits that it has come during investigation that by chance when the deceased was carrying wood the wood got imbalanced and spread on the road, as a result whereof the speedy motorcycle dashed against the victim.

Considering the conflicting material on the record, let the appellant, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds 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, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as 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 stands allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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