

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

**Criminal Appeal (SJ) No.1543 of 2018**

Arising Out of PS.Case No. -335 Year- 2017 Thana -PAHARPUR District-  
EASTCHAMPARAN(MOTIHARI)

=====

Birendra Yadav, son of Janak Yadav, resident of village – Khairwa Choubey Tola,  
P.S. Paharpur (Malahi), District – East Champaran.

.... .... Appellant/s

Versus

The State of Bihar

.... .... Respondent/s

=====

**Appearance :**

For the Appellant/s : Mr. Abhishek Kumar @ Sonu Babu,  
Ms. Rashmi Jha, Advocate  
Mr. Umesh Chandra Verma, Advocates  
For the Respondent/s : Mr. Binay Krishna, S.P.P.

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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 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), East Champaran at Motihari, in connection with Paharpur (Malahi) Police Station Case No.335 of 2017 registered under Sections 147/341/323/326/ 436 /379 /504/506 of the Indian Penal Code and Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Specific allegation of throwing the grand-son of the informant into fire is against Rabindra Yadav. General and omnibus allegation is there against the appellant and others of commission of



abuse, assault and arson. Appellant has stated on oath that he has got no criminal antecedent. He is in custody since 07.02.2018.

Considering the general and omnibus nature of allegation, 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

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