

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3831 of 2018

Arising Out of PS. Case No.-165 Year-2017 Thana- SALAKHUA District- Saharsa

Ranbir Yadav, Son of Jawahar Yadav, Resident of Village - Alma, Police
Station - Bakhtiyarpur, District - Saharsa.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Satish Kumar Singh

For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 27-11-2018

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 29.08.2018 in Special Case No. 329 of 2017 passed by the learned 1st Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Saharsa in connection with Salkhua P.S. Case No. 165 of 2017 registered under Sections 341, 323, 385, 387, 504, 506 of the Indian Penal Code, Section 27 of the Arms Act as well as Section 3(i)(r)(s) of the SC/ST Act.

Allegation against the appellant is of demand of ransom from the informant to allow him to fish out from the referred pond from which the informant was fishing out since long. Other witnesses of the informant have also supported the aforesaid



allegation against the appellant including allegation of firing to create terror.

Submission is that the appellant is in custody since 26.06.2018. Investigation of the case is already complete. There is no allegation of tampering with the evidence. The allegations are ornamental one due to old dispute.

Considering the entire facts of this case as stated above, let the appellant, above named, be released on bail **after framing of the charges** 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 as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

Accordingly, the impugned order is set aside and this appeal stands allowed.

(Birendra Kumar, J)

Kundan/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
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