

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.199 of 2019

Arising Out of PS. Case No.-171 Year-2017 Thana- IMAMGANJ District- Gaya

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Mungeshwar Yadav Son of Late Panchu Yadav Resident of Village-Lavavar,
P.S.-Kothi, Dist.-Gaya

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Yogesh Chandra Verma, Sr. Adv.
	:	Mr.Surendra Kumar Mishra, Adv
For the Respondent/s	:	Mr.Smt Usha Kumari No-1, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 15-05-2019

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 order dated 25.01.2018 in connection with Imamganj Police Station Case No.171 of 2017 passed by the learned Special Judge (S.C./S.T. Act), Gaya, registered under Sections 376,302 of the Indian Penal Code and Section3(i)(w)(i)(ii), 2(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Appellant is in custody since 10.10.2017.

Earlier prayer for bail was refused vide Annexure-1 with direction to the learned Trial Judge to expedite the trial.



Report of the learned Trial Judge reveals that out of 16 only 2 prosecution witnesses have been examined up-till-now.

Allegation against the appellant is that he was seen by the witnesses when he was coming out of the house of the informant after committing murder of the mother of the informant.

Considering the nature of allegation and period already undergone by the appellant, 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 both bailors shall be resident of territorial jurisdiction of the learned court below and further the appellant shall fully cooperate with the 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)

Nitesh/-

AFR/NAFR	NAFR
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