

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.225 of 2019**

Arising Out of PS. Case No.-189 Year-2018 Thana- TEKARI District- Gaya

Babun Yadav @ Bubun Yadav s/o-Parshuram Yadav Resident of Village-
Malsari, P.S- Tekari, Dist- Gaya

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ravindra Kumar Sinha
For the Respondent/s : Smt Usha Kumari No

**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL JUDGMENT**

Date : 28-03-2019

This is an appeal under Section 14A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer of anticipatory bail dated 20.08.2018 passed by the learned Exclusive Special Judge, SC/ST Act, Gaya in ABP No. 179 of 2018 arising out of Tekari (Panchanpur) P.S.Case No. 189 of 2018 registered under Sections 147,148,149,307,323, 326, 341, 448, 504 and 506 of the Indian penal Code and Sections 3(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant is that he fired on Sujit Kumar but it did not hit him however he received burn injury of firing.

Submission of learned counsel for the appellant is that



allegation is false and concocted and other co-accused, against whom also there is allegation of firing, has been granted anticipatory bail vide judgment dated 23.01.2019 passed in Cr.Appeal (SJ) NO. 4207 of 2018.

Heard learned Spl. P.P also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the appellant, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST Act, Gaya in ABP No. 179 of 2018 arising out of Tekari (Panchanpur) P.S.Case No. 189 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

Accordingly, the appeal is allowed and the impugned order is set aside with respect to him.

(Vinod Kumar Sinha, J)

sujit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

