

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.527 of 2019

Arising Out of PS. Case No.-125 Year-2018 Thana- MANPUR District- Nalanda

RAJEEV YADAV @ RAJEEV KUMAR Son of Chote Yadav Resident of
Village - Makduane

... .. Appellant/s

Versus

The State of Bihar Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rabindra Kumar
For the Respondent/s : Mr.Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-02-2019 Heard learned counsel for the Parties.

This is an appeal under Section 14(A)(2) of SC & ST (Prevention of Atrocities) Amendment Act, against the refusal of prayer for bail by order dated 16.01.2019 passed by learned I/C Additional Sessions Judge 1st cum Special Judge, Nalanda at Biharsharif, in connection with Manpur P.S. Case No. 125 of 2018 registered under Sections 147, 148, 149, 448, 504, 302 of the Indian Penal Code and Section 27 of Arms Act and 3(i)(r)(s) & 3(2)(v) a SC/ST (Prevention of Atrocities) Act.

Informant is the widow of deceased, who has stated in her written complaint that a group of persons assembled in the village and started abusing by caste name and there is specific allegation against Rahul Yadav of firing from rifle on the husband of informant, as a result of which he died.



Petitioner is not named in the FIR. His name has surfaced in this case on the basis of confessional statement made by Motin Yadav @ Ajit Yadav. Petitioner is in custody since 15.10.2018 having one criminal antecedent as stated in paragraph No. 3 of petition.

Considering the aforesaid facts and circumstances of the case, let the appellant named above be released on bail upon furnishing bail bond of Rs. 20,000/-(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, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) appellant shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the appellant tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the appellant.

(S. Kumar, J)

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