

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.871 of 2019

Arising Out of PS. Case No.-5 Year-2014 Thana- KAUWAKOL District- Nawada

LAKSHMAN YADAV Son of Mogli Yadav @ Magli Yadav R/o village-
Benipur, P.S- Kawakol (Rupou), District- Nawada

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Suresh Singh
For the Respondent/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 08-05-2019 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 20.07.2018 passed by learned Additional Sessions Judge-I cum Spl. Judge, Nawada in connection with Spl (H) Case No. 160/17 arising out of Kawakol P.S. Case No. 5/14 registered under Sections 147, 148, 149, 302, 201 and 504 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(2)(iv)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant had earlier moved this Court for regular bail which was dismissed on 28.01.2019 with a direction to the court below to renew his prayer for bail after framing of charge.

Allegation against appellant and other co-accused



is of assaulting the informant and her husband, as a result of which her husband died. They have also abused them by their caste name.

It has been submitted on behalf of the appellant that he is innocent and has been falsely implicated in this case due to dirty village politics. Appellant is in custody since 22.06.2018.

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.

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

(S. Kumar, J)

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