

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1120 of 2019

Arising Out of PS. Case No.-226 Year-2018 Thana- AMAS District- Gaya

PAWAN YADAV Son of Raju Yadav, Resident of Village Babhandi, Police
Station- Amas, District- Gaya. Appellant/s

Versus

The State of Bihar. Respondent/s

Appearance :

For the Appellant/s : Mr. Kumar Nikhil, Adv.

Ms. Kriti Singh, Adv.

For the Respondent/s : Mr. Sadanand Paswan, Special P.P.

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL
ORAL ORDER

3 26-06-2019 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

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 anticipatory bail vide order dated 04.01.2019 passed by learned Exclusive Special Judge SC/ST, Gaya in connection with Amas P.S. Case No. 226 of 2018 registered under Sections 341, 447, 504, 506, 436, 379 & 427 of the Indian Penal Code and Section 3(i) (r) (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant is said to have stolen two wheels of the tempo of the informant and also torched his thatched house. Earlier he had also extended threatening of dire consequence to



the informant.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has been falsely implicated in the case due to dirty village politics. There is no eye witness of the occurrence. I.O. has also not found the said house burnt at the place of occurrence. No offence under section SC/ST Act is made out against the appellant. Appellant has no criminal antecedent.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge SC/ST, Gaya in connection with Amas P.S. Case No.226 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

Trivedi/-

(Prakash Chandra Jaiswal, J)

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