

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.1372 of 2019**

Arising Out of PS. Case No.-23 Year-2019 Thana- PARAIYA District- Gaya

DEONANDAN YADAV Son of Late Biranjan Yadav Resident of Village -  
Dhamkawa, P.S.- Paraiya, Distt - Gaya.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr.Ajay Kumar Sinha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA  
JAISWAL**

**ORAL JUDGMENT**

**Date : 20-06-2019**

Heard learned counsel for the appellant and learned

Spl. P.P. for the State.

This is an appeal under Section 14 (A) (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of prayer for bail vide order dated 06.03.2019 passed by learned Special-Judge, SC/ST, Gaya, in connection with Paraiya P.S. Case No. 23 of 2019 registered under Sections 147, 148, 149, 435, 346, 427, 429, 387 of the Indian Penal Code and also under Section 3 (i) (r) (s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.

Fifteen named accused persons along with 40-50 unknown miscreants descended on the JCB and set ablaze the



house of the informant and that of Ganesh Manjhi and Dhanuk Manjhi resultantly their household articles reduced into ashes.

It is submitted by the learned counsel for the appellant that no such occurrence as alleged ever took place. Appellant has no concern with the aforesaid occurrence. Dispute of the informant was with Nagendra Yadav regarding possession of the disputed land. Appellant has been falsely implicated in this case due to dirty village politics and grudge. The allegation levelled against the appellant is not specific rather general and omnibus in nature. He has no criminal antecedent. He has been languishing in custody since 11.09.2018, hence he may be enlarged on bail.

Learned Spl. P.P. for the State opposed the prayer for bail submitting that appellant along with other accused persons set ablaze the house of the informant and two other villagers. Moreover, co-accused Upendra Yadav, Mukesh Yadav and Chalitar Yadav have been enlarged on bail by co-ordinate Bench of this Court after six months of custody, hence appellant does not deserve bail at present.

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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge,



SC/ST Gaya in connection with Paraiya P.S. Case No. 23 of 2019  
and learned lower Court is directed to accept the bail bond of the  
appellant after lapse of six months of custody.

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

**(Prakash Chandra Jaiswal, J)**

T.Kr./-

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