

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1569 of 2019

Arising Out of PS. Case No.-39 Year-2019 Thana- AMARPUR District- Banka

SARYUG YADAV, Son of Moti Yadav, Resident of Village - Baughariya, P.S
- Fullidumar, District - Banka.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajay Mukherjee

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 04-06-2019

Heard learned counsel for the parties.

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 regular bail vide order dated 05.03.2019 in Amarpur (Fullidumar) P.S. Case No. 39 of 2019 passed by the learned 1st Additional Sessions Judge, Banka in connection with the aforesaid case registered under Sections 302/34 of the Indian Penal Code as well as Sections 3(2)(Va) of the SC/ST Act.

The husband of the informant had gone along with the appellant and thereafter dead body of the husband of the informant was found. The informant suspects that the appellant and others have committed murder for dispute relating to payment of due wages.

Submission is that there is no eyewitness of the



occurrence. Appellant is in custody since 15.02.2019. Investigation of the case is already complete.

Learned Special Public Prosecutor submits that some clothes of the deceased were found from near the heap of the sand of the appellant and evidence of last seen as well as motive is there.

Considering the entire facts, let the appellant, above named, be released on bail **after framing of the charges** on furnishing bail bond of Rs.20,000/- (Rupees 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, subject to the condition that the appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
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