

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1733 of 2019**

Arising Out of PS. Case No.-198 Year-2018 Thana- BELHAR District- Banka

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Pappu Yadav, Son of Borhan Yadav @ Vindeshwari Yadav Resident of
Village- Reba Toli (Chirota), P.S.- Belhar, District- Banka.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Javed Aslam

Mr. Devika Rani

For the Respondent/s : Mr.Binay Krishna

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

ORAL JUDGMENT

Date : 26-04-2019

Heard learned counsel for the appellant and
learned Spl. PP 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 02.04.2019 passed by learned 1st Addl. Sessions Judge,
Banka in Belhar P.S. Case No. 198 of 2018 registered under
Section 302/34 of the Indian Penal Code and Section 3(2)(v) of
the Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act.



Appellant along with two other F.I.R. named accused persons are said to have intervened the feud between the uncle and aunt of the informant and assaulted his uncle and took him to forest and also assaulted him there where his uncle was found dead.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. He has been falsely implicated in the case due to animosity. No motive has been assigned in the occurrence. The allegation levelled against the appellant is not specific rather general and omnibus in nature. Appellant has no criminal antecedent and has been languishing in custody since 25.02.2019. Similarly situated co-accused, namely, Nandu Yadav has been enlarged on bail by a co-ordinate bench of this court vide order dated 28.03.2019 passed in Cr. Appeal (SJ) No. 1032 of 2019.

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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge, Banka in Belhar P.S. Case No.



198 of 2018.

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

(Prakash Chandra Jaiswal, J)

mantreshwar/-

AFR/NAFR	N.A.F.R.
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