

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1899 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- RAJAON District- Banka

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1. SUKHDEO YADAV @ SUKDEO YADAV Son of Late Garju Yadav
Resident of Village - Khirjan, P.S.- Rajaun, District - Banka
 2. Arun Yadav Son of Gulabi Yadav Resident of Village - Khirjan, P.S.-
Rajaun, District - Banka
 3. Mantu Yadav Son of Late Jhakshu Yadav Resident of Village - Khirjan, P.S.-
Rajaun, 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 PRAKASH CHANDRA
JAISWAL**

ORAL JUDGMENT

Date : 20-06-2019

Heard learned counsel for the appellants 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 04.04.2019 passed by learned 1st Addl. Sessions Judge, Banka in connection with G.R. Case No.10 of 2019, arising out of Rajoun P.S. Case No. 36 of 2019 registered under Sections 147, 148, 149, 323, 307, 354 (B), 346, 427, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act and Section 3/ 4 of the Dian Act read



with Section 3 (i) (w) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act.

Appellants along with several other named accused persons are said to have descended the house of the informant armed with weapons in inebriated condition and torched the house and assaulted uncle of the informant and informant by means of brick and stones. They also looted the household articles.

It is submitted by the learned counsel for the appellants that no such occurrence as alleged ever took place. Appellants have no concern with the aforesaid occurrence. They have been falsely implicated in this case due to dirty village politics and animosity. The allegation levelled against the appellants is not specific rather general and omnibus in nature. Informant sustained simply injury. Although, other injured namely Hemant Kumar Das has sustained fractured injury of facial and frontal bone but assailant of the said injury is not ascertained. Appellants have no criminal antecedent. They have been languishing in custody since 25.01.2019.

Learned Spl. P.P. 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 connection with G.R. No. Case No. 10 of 2019, arising out of Rajoun P.S. Case No. 36 of 2019.

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

(Prakash Chandra Jaiswal, J)

T.Kr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.6.2019
Transmission Date	22.6.2019

