

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1828 of 2019

Arising Out of PS. Case No.-68 Year-2017 Thana- LODIPUR District- Bhagalpur

MANISH YADAV Son of Bideshi Yadav @ Bindeshwari Yadav Resident of
Village - Baghmara, P.S.- Lodipur, Distt - Bhagalpur.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Kumar Praveen

For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 01-05-2019 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 01.03.2019 in S.T. No. 107 of 2018 passed by the learned 3rd Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Bhagalpur in connection with Lodipur P.S. Case No. 68 of 2017 registered under Sections 302, 201/34 of the Indian Penal Code as well as Section 3(2)(v) of the SC/ST Act.

The appellant and some other co-accused were earlier refused bail by this Court on 29.01.2018 in Cr. Appeal (SJ) No. 3392 of 2017 in connection with Lodipur P.S. Case No. 68 of 2017 for the reason that the allegation was that eight persons assaulted to deceased Ram Ashish Rai and he died



thereof. The Trial Court was directed to conclude the trial within a period of nine months, failing which the appellant shall be at liberty to renew his prayer for bail.

The order dated 01.03.2019 of the court below would reveal that trial is still pending.

Hence, let the appellant, above named, be released on bail 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)

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