

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2230 of 2019**

Arising Out of PS. Case No.-1225 Year-2018 Thana- SAHARSA District- Saharsa

Pravin Yadav @ Pravin Kumar Son of Harilal Yadav @ Harinandan Yadav
Resident of Village- Sarahi, Ward No. 3, P.S. and District- Saharsa.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Binod Kumar Sinha
For the Respondent/s : Mr. Sadanand Paswan

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

ORAL ORDER

3 23-08-2019 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 of anticipatory bail
vide order dated 08.03.2019 passed by learned 3rd Addl.
Sessions Judge cum Special Judge, Saharsa in Saharsa Sadar
P.S. Case No. 1225 of 2018 registered under Sections 447, 341,
323, 427, 363, 365, 504, 506, 120B, 302, 201 of the Indian
Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.

Ten named accused persons including the appellant
and some unknown miscreants are said to have eliminated



father of the informant after kidnapping him over land dispute. Some of the named accused persons had also extended threatening of dire consequence to his father.

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 this case because he happens to be relative of co-accused Parmeshwari Yadav. There is no eyewitness of the occurrence. There is nothing incriminating material on record indicating the complicity of the appellant in the occurrence. Appellant had also no property dispute with the deceased. Appellant has no criminal antecedent. Said Parmeshwari Yadav has been enlarged on anticipatory bail by a co-ordinate Bench of this Court vide order dated 29.03.2019 passed in Cr. Appeal (SJ) No. 564 of 2019 and similarly situated co-accused, namely, Anil Yadav has been enlarged on anticipatory bail by this Court vide order dated 04.07.2019 passed in Cr. Appeal (SJ) No. 1660 of 2019.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, let the above named appellant be released on bail, in the event of his arrest or surrender before the learned Court below within a



period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Addl. Sessions Judge cum Special Judge, Saharsa in connection with Saharsa Sadar P.S. Case No. 1225 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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

(Prakash Chandra Jaiswal, J)

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