

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3106 of 2019**

Arising Out of PS. Case No.-24 Year-2019 Thana- MIRGANJ District- Gopalganj

SUJIT YADAV Son of Sri Kishun Yadav @ Sri Kishun Ahir Resident of
Village- Dhosia, P.S.- Mirganj, District- Gopalganj.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Dhramveer
For the Respondent/s : Mr.Sadanand Paswan

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

ORAL ORDER

7 21-11-2019 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 29.05.2019 passed by learned 1st Addl. Sessions Judge,
Gopalganj in Mirganj P.S. Case No. 24 of 2019 registered under
Sections 302, 120(B)/34 of the Indian Penal Code and Section
3(2)(v) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act.

Four named accused persons including the
appellant are said to have taken the grand-son of the informant
from his house on the pretext of dining and committed his



murder by assaulting on his head at the door of the appellant.

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 due to ulterior motive and dirty village politics. There is no eye witness of the occurrence. Even the informant does not happen to be eye witness of the occurrence. Number of witnesses in the case diary have stated that co-accused Pankaj Yadav was having animosity with the deceased and had taken the deceased from the house of his grand-father along with others and committed his murder by assaulting him by means of rod. He has been falsely implicated in the case as he happens to be friend of Pankaj Yadav. No motive of occurrence is attributed to the appellant. Appellant has been languishing in custody since 22.05.2019. Similarly situated co-accused, namely, Vijay Ram has been enlarged on bail by this court vide order dated 13.08.2019 passed in Cr. Appeal (SJ) No. 2271 of 2019.

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, Gopalganj in connection with



Mirganj P.S. Case No. 24 of 2019.

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

(Prakash Chandra Jaiswal, J)

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