

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2772 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- KARJAIN District- Supaul

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Suman Kumar Yadav S/o- Suresh Yadav Resident of village- Daulatpur, P.S.
Raghopur, District- Supaul.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Nafisuzzoha

For the Respondent/s : Mr. Sadanand Paswan

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

ORAL ORDER

2 12-07-2019 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 31.05.2019 passed by learned 1st Addl. Sessions Judge-cum-Special Judge, SC/ST Act, Supaul in Karjain P.S. Case No. 41 of 2019 registered under Sections 386, 411, 504, 506/34 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant along with two other accused persons are said to have slated the informant in the name of his caste and



demanded extortion of Rs. 10000/- and snatched away his motorcycle. Out of them, two accused persons, namely, Abhishek Mehta and Akhilesh Yadav were apprehended along with the motorcycle on chase while appellant managed to escape.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. No incriminating article has been recovered from conscious physical possession of the appellant. He was not apprehended on the spot. Allegation of slating the informant in the name of his caste is not specific rather general and omnibus in nature. He has been falsely implicated in this case by the informant due to ulterior motive. Appellant has been languishing in custody since 22.04.2019.

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-cum-Special Judge, SC/ST Act, Supaul in Karjain P.S. Case No. 41 of 2019.



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

(Prakash Chandra Jaiswal, J)

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