

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3411 of 2019**

Arising Out of PS. Case No.-105 Year-2017 Thana- GAYA MUFASIL District- Gaya

ASHOK YADAV Son of Mohan Yadav Resident of Village- Gaura, Police
Station- Muffassil, District- Gaya.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Manish Kumar No.2, Adv
For the Respondent/s : Mr.Usha Kumari 1, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT**

Date : 21-08-2019

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 against the refusal of prayer for bail by order dated 06.07.2019 in Muffassil P.S.Case No.105 of 2017(Tr. No.245 of 2017) passed by the learned Exclusive Special Judge (S.C./S.T. Act), Gaya, registered under Sections 147, 148, 149, 341, 323, 325, 307 and 302 of the Indian Penal Code, and Section 3(2)(v) (a)/3(2)(v)(b)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

Earlier prayer for bail was refused to the appellant in Cr. Appeal (SJ) No.176 of 2018 on 09.02.2018. Appellant is in custody since 11.10.2017.



Submission is that the trial has not concluded as yet and this Court has granted bail to co-accused-Jitendra Kumar whose case is similar to that of the appellant and some other co-accused have also been allowed bail.

Considering the period already undergone by the appellant and chances of non-conclusion of the trial in near future, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further the appellant shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

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

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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