

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3591 of 2019**

Arising Out of PS. Case No.-191 Year-2019 Thana- TEKARI District- Gaya

Subodh Yadav @ Subodh Kumar Son of Ashok Yadav Resident of Village -
Makhpa, P.S.- Tekari, Distt – Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manish Kumar No2

For the Respondent/s : Mr. Binay Krishna

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

ORAL ORDER

2 28-08-2019 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 20.07.2019 passed by learned Exclusive
Special Judge, SC/ST Act, Gaya in Tekari P.S. Case No. 191 of
2019 registered under Sections 342, 323, 354, 451 of the Indian
Penal Code and Section 3(1)(x) of the Scheduled Castes and
Scheduled Tribes (Prevention of Atrocities) Act.

Appellant intruded into the house of the informant



by scaling wall in the night entered into scuffle with the informant with bad intention, and on protest by the informant, he fled away snatching her locket and nose pin.

It is submitted by learned counsel for the appellant that no such occurrence as alleged ever took place. He has been falsely implicated in this case merely due to dispute over drainage between the house of both the parties. Informant has not sustained injury in the occurrence. No offence under SC/ST Act is made out against the appellant. Appellant has no criminal antecedent.

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 Exclusive Special Judge, SC/ST Act, Gaya in connection with Tekari P.S. Case No. 191 of 2019, 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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