

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3936 of 2019**

Arising Out of PS. Case No.-219 Year-2019 Thana- WARISLIGANJ District- Nawada

Sachin Yadav Son of Arjun Yadav Resident of Village-Masankhama, P.S.-
Warisaliganj, District-Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

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

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

ORAL ORDER

2 18-09-2019 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 02.08.2019 passed by learned 1st Addl. Sessions Judge-cum-Special Judge, Nawada in Warisaliganj P.S. Case No. 219 of 2019 registered under Sections 341, 323, 504/34 of the Indian Penal Code and Sections 3(i)(d)(e)(r)(s), 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Six named accused persons including the appellant and 30-35 unknown miscreants are said to have conspired half



head, shaved half mustache, made to wear garland of slipper and shoe and also forced to intake drain water and slated in the name of the caste to the son of the informant, namely, Rajiv Kumar and one Sagar Kumar.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. Allegation levelled against the appellant is not specific rather general and omnibus in nature. Utmost, appellant happens to be member of the mob. As a matter of fact, son of the informant and Sagar Kumar had committed blasphemy by trampling photographs of the several god and goddess along with others and made it viral, resultantly, they were apprehended by the police and Warisaliganj P.S. Case No. 216 of 2019 was instituted by the police against them preceding to the case under hand on the information given by the family members of the appellant and due to aforesaid grudge, the informant has falsely implicated the appellant in the case. Appellant has no criminal antecedent and has been languishing in custody since 7.07.2019.

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, Nawada in connection with Warisalignaj P.S. Case No. 219 of 2019 .

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

(Prakash Chandra Jaiswal, J)

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