

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3986 of 2019

Arising Out of PS. Case No.-190 Year-2015 Thana- JAYNAGAR District- Madhubani

Pankaj Kumar Yadav Son of Mahendra Yadav Resident of Village - Selra,
Laskariya, P.S.- Jaynagar, District- Madhubani

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Gagan Deo Yadav
For the Respondent/s : Mr. Sadanand Paswan

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

ORAL ORDER

2 25-09-2019 Heard learned counsel for the appellant and
learned Special Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for bail vide order dated 31.07.2019 passed by learned 1st Additional Sessions Judge cum Special Judge SC/ST Act, Madhubani in connection with Jaynagar P.S. Case No. 190 of 2015 registered under Sections 341, 323, 386, 307 & 504/34 of the Indian Penal Code and Section 3(1) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Appellant along with two other named accused



persons demanded extortion of Rs.500/- on each Monday from the informant to allow him to vend the ballon near the temple and on his refusal to oblige them, they snatched his sale proceeds worth Rs.1200/- and slated him in the name of caste and Mukesh Yadav assaulted him by means of knife inflicting injury in his finger.

It is submitted by learned counsel for the appellant that the appellant has no concern with the aforesaid occurrence. Appellant has been falsely implicated in the case due to dirty village politics and animosity. The allegation levelled against the appellant is not specific rather general and omnibus in nature. He does not happen to be assailant. Appellant has no criminal antecedent and has been languishing in custody since 28.07.2019.

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 released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge cum Special Judge SC/ST Act, Madhubani in connection with Jaynagar



P.S. Case No. 190 of 2015.

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

(Prakash Chandra Jaiswal, J)

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