

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5209 of 2019

Arising Out of PS. Case No.-345 Year-2019 Thana- SIKARPUR District- West Champaran

Anand Yadav Son of Sri Dinesh Yadav Resident of Village - Pokhariya
Maldahiya, P.S.- Shikarpur, District- West Champaran

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Umesh Chandra Verma, Advocate
For the Respondent/s : Mr. Binay Krishna, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-12-2019 Heard learned counsel for the appellant and learned
A.P.P. for the State.

This application for bail has been preferred under Section 14A(2) of the SC/ST (Prevention of Atrocities) Amendment Act, 2015 by the appellant against the order dated 14.11.2019 passed in Bail Petition No. 3057 of 2019 arising out of Shikarpur P.S. Case No. 345 of 2019 whereby the learned Ist Additional Sessions Judge cum Special Judge, SC/ST Act, West Champaran at Bettiah, was pleased to reject the prayer for bail of the appellant.

As per the allegation in the FIR, on 12.08.2019, the appellant is alleged to have misbehaved with the sister of the informant. It is thereafter stated in the FIR that on 14.08.2019, the seven accused persons including this appellant, came and started to abuse the informant and others.



It is submitted by learned counsel for the appellant that from perusal of the FIR itself it would transpire that so far as the occurrence of 12.08.2019, there is no explanation for the delay. So far as the occurrence of 14.08.2019 is concerned, it is submitted that from the FIR it would transpire that specific allegations are against Santosh Yadav, Ram Kishun Yadav, Mantu Yadav and Ravi Yadav besides general and omnibus allegations against others. It is further submitted that the appellant in custody since 25.08.2019 and has no criminal antecedent.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this appeal stands allowed and the order dated 14.11.2019 passed in Bail Petition No. 3057 of 2019 arising out of Shikarpur P.S. Case No. 345 of 2019 by learned Ist Additional Sessions Judge cum Special Judge, SC/ST Act, West Champaran at Bettiah is set aside.

The appellant, above named, 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 Additional Sessions Judge cum Special Judge, SC/ST Act, West Champaran at Bettiah, in connection with



Shikarpur P.S. Case No. 345 of 2019.

(Partha Sarthy, J)

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