

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.65 of 2020

In
CRIMINAL APPEAL (DB) No.1291 of 2019

Arising Out of PS. Case No.-5 Year-2014 Thana- KAUWAKOL District- Nawada

SHAMBHU YADAV, S/o Late Mahabir Yadav, R/o Benipur, P.S. -Rupou
(Kauwakol), District-Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Suresh Singh, Advocate.
For the Respondent/s : Mr.Usha Kumari 1, Spl.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 17-02-2020 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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 28.08.2019 passed by learned 1st Additional and Sessions Judge cum Special-Judge, Nawada in B.P. NO.1642/2019 arising out of kauwakol (Rupoa) P.S. Case No. 05/2014 registered under Sections 147, 148, 149, 302, 201, 504 of the Indian Penal Code and Section 27 Arms Act and Sections 3(2) (iv) (v) of the SC/ST Act.

Co-accused Laxman Yadav allegedly caused injury at the head of the husband of the informant. Appellant fired, however no injury was caused. Co-accused Laxman Yadav has



already been allowed bail by a co-ordinate Bench of this Court vide order dated 08.05.2019 passed in Cr.Appeal (SJ) No. 871 of 2019. Appellant is in custody since 12.07.2019 and charges have already been framed in the case.

Considering the aforesaid facts, let the appellant, above named be released on bail furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with the aforesaid case, subject to the following conditions:-

(a) The appellant shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The appellant shall not leave the country without permission of the learned trial court.

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

(Birendra Kumar, J)

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