

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.91 of 2020

Arising Out of PS. Case No.-933 Year-2019 Thana- MADHEPURA District- Madhepura

LALAN YADAV S/O Late Laxmi Yadav Resident of Village - Sakhua, P.S. -
Madhepura, District - Madhepura.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Krishna Prasad Singh, Sr. Advocate Mr. Saket Kumar Singh, Advocate Mr. Bhaskar Shankar, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 14-01-2020 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 against the refusal of prayer for bail vide order dated 18.12.2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Madhepura, in SC/ST (C.I.S.) No.238 of 2019, arising out of Madhepura Police Station Case No.933 of 2019, registered under Sections 302/307/324/323/341 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(1)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation of firing and commission of fire-arm



injury to the son of the informant is against some other co-accused. Petitioner is named in the column of accused only for the reason that the Orchestra Programme was organized by the petitioner and during the programme occurrence was committed by some other persons.

Considering the nature of allegation against the petitioner and the statement of the appellant on oath that he has got no criminal antecedent nor there is any material to substantiate that the appellant is going to tamper with the evidence or abscond the process of law, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with the aforesaid case, with condition that 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.

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

(Birendra Kumar, J)

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