

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.332 of 2020

Arising Out of PS. Case No.-312 Year-2019 Thana- BELAGANJ District- Gaya

SUBHASH YADAV Son of Ram Lakhan Yadav Resident of Village - Sakir
Bigha, P.S.- Belaganj, District - Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Vijay Kumar
For the Respondent/s : Mrs. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 05-02-2020 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 against refusal of the prayer for bail by order dated 21.12.2019 in B.P. No. 379 of 2019, passed by learned Exclusive Special Judge, SC/ST, Gaya in connection with Belaganj P.S. Case No. 312 of 2019, registered under Sections 341, 323, 354, 379/34 of the Indian Penal Code as well as Section 3(i)(r)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Most of the offences alleged under the Indian Penal Code are bailable.

Submission is that the allegation of theft is ornamental and superficial one.



Considering the aforesaid fact, 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 both bailors shall be resident of territorial jurisdiction of the learned court below and further 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 this appeal stands allowed.

(Birendra Kumar, J)

Ranjeet/Gaurav

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