

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL APPEAL (SJ) No.432 of 2020**

Arising Out of PS. Case No.-20 Year-2018 Thana- SC/ST District- Banka

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ROHIT KUMAR @ ROHIT KUMAR YADAV, Son of Jogendra Yadav @  
Yogendra Yadav, Resident of Village - Gouripur @ Gauripur, P.S.- Banka,  
Dist.- Banka.

... .. Appellant/s

Versus

1. The State of Bihar
2. Sajo Tuddu, Wife of Chunnu Tuddu, Resident of Village - Neponiya, P.S.-  
Dudhari, P.S.- Banka, Dist.- Banka.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Pankaj Kumar, Adv.  
For the Respondent/s : Mr. Sadanand Paswan, APP

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**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI**  
**ORAL ORDER**

3      01-06-2020                      Heard learned counsel for the appellant as well as  
learned Additional Public Prosecutor.

Learned counsel for the appellant submits that the  
appellant is ready to return back the amount (without  
prejudicing the future interest) in the court below subject to final  
conclusion of the trial irrespective of the nature of allegation. It  
has also been submitted that the amount will be deposited within  
six months in four equal installments. The first installment will  
be deposited before furnishing of the bail bonds.

Considering the nature of submission having at the  
end of the appellant, on deposit of Rs.30,000/- (thirty thousand),  
the appellant, Rohit Kumar @ Rohit Kumar Yadav is directed to



be released on provisional bail for six months i.e till 01.12.2020 on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1<sup>st</sup> Additional Sessions Judge cum Special Judge (SC/ST), Banka in connection with SC/ST Police Station Case No.20 of 2018 corresponding to G.R. No.2561 of 2018.

Till then the whole amount appertaining to Rs.1,20,000/- (one lac twenty thousand) must be deposited before the learned lower court. If the amount is deposited then in that circumstance the learned lower court will itself confirm the provisional bail, otherwise the learned lower court will be at liberty to pass appropriate order in accordance with law.

Accordingly the order impugned is set aside and the appeal is allowed in terms thereof.

**(Aditya Kumar Trivedi, J)**

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