

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.472 of 2020

Arising Out of PS. Case No.-67 Year-2019 Thana- SC/ST District- Darbhanga

1. MITHUN YADAV Son of Matwar Yadav
2. Mukesh Yadav @ Awadhesh Yadav Son of Matwar Yadav
Both Resident of Village - Sonhan, P.S.- Kevti, Distt - Darbhanga.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Kumar Jain, Adv
For the Respondent/s : Mr.Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 04-02-2020 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 the refusal of prayer for bail by order dated 09.01.2020 in SC/ST P.S.Case No.67 of 2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Darbhanga registered under Sections 341, 323, 420, 465, 472, 354, 452, 455 of the Indian Penal Code and Section 3(i)(r), 3(i)(s), 3(i)(g) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Considering the background of allegation arising out of dispute for non-execution of transfer deed in respect of the land. There is general and omnibus allegation of commission of abuse



and assault. No specific allegation is there against the appellant.

Hence, let the appellants, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each 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 appellants 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 appellants.

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

(Birendra Kumar, J)

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