

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.535 of 2020

Arising Out of PS. Case No.-64 Year-2019 Thana- DHANKUND District- Banka

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JICHHO YADAV @ JICHHU YADAV, aged about 40 years, Male Son of
Late Naresh Yadav, Resident of Village - Ath Pahra, P.S.- Dhankund, Distt. -
Banka ... Appellant

Versus

The State of Bihar ... Respondent

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Appearance :

For the Appellant : Mr. Sanjay Kumar Tiwary, Adv.

For the Respondent : Mr. Usha Kumari 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL JUDGMENT

Date : 01-06-2020

Rajendra Kumar Mishra, J. Heard the learned counsel for the parties.

2. This Criminal Appeal, under Section 14 A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, has been preferred by the appellant against the order, dated 22.01.2020, passed in G.R. No. 70(A) of 2019 arising out of Dhankund P.S. Case No. 64 of 2019 registered under Sections 365, 323, 504 and 34 of the Indian Penal Code and 3(i)(r)(w) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, whereby the Additional Sessions Judge, I, Banka, rejected the prayer of the appellant.

3. In brief, the prosecution case is that on 16.05.2019 at about 02.200 p.m., the informant, Prasadi Paswan, was at his door, at that time, six persons, named in the first information report,



including the appellant, came there and started to abuse denoting him “dusadh” saying that his son, Mahendra Yadav, has kidnapped Priyanka Kumari. The, informant, Prasadi Paswan, made protest saying that his son, Tetar Paswan, had already gone to Gujrat for livelihood, thereafter, all started to abuse and dashed his wife, Meera Devi, and boarded on one motorcycle and he was also boarded on another motorcycle and all moved towards Banarchuha where informant and his wife were misbehaved and abused. At that time, they asked about Priyanka Kumari. In the meantime, police reached there, then, informant and his wife were taken to Police Station.

4. Submission is that the appellant has been implicated in this case due to village politics, is in custody since 15.11.2019 and, on investigation, the police has already submitted the charge sheet.

5. Having regard to the facts and circumstances, as stated above, this Criminal Appeal is **allowed** and the impugned order, dated 22.01.2020, is set aside.

6. Let the appellant, above named, be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with G.R. No.



70(A) of 2019 arising out of Dhankund P.S. Case No. 64 of 2019
to the satisfaction of the Additional Sessions Judge, I, Banka.

(Rajendra Kumar Mishra, J)

Shamshad/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	01.06.2020
Transmission Date	02.06.2020

