

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.596 of 2020

Arising Out of PS. Case No.-146 Year-2019 Thana- AGION (GARHANI) District- Bhojpur

Akhilesh Yadav @ Nanhaka Yadav, S/o Shivji Yadav @ Shivji Singh,
Resident of Village- Ajam Nagar, P.S.- Agion (G), District- Bhojpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Rajani Ranjan Pd. Singh, Advocacy.

For the Respondent/s : Mr.Binay Krishna, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL JUDGMENT

Date : 01-06-2020

Heard, Mr. Rajni Ranjan Prasad Singh, learned counsel
appearing for the appellant and Mr. Binay Krishna, learned A.P.P.
appearing for the State through Video Conferencing.

This appeal, under Section 14(A)(2) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, is
directed against the order dated 07.01.2020 passed in SC/ST Case No.
189 of 2019, whereby and whereunder the learned Ist Additional
Sessions Judge, Bhojpur rejected the prayer for grant of bail of the
appellant in connection with Agion(G) P.S. Case No. 146 of 2019,
registered under Sections 341, 323, 504 and 506 of the Indian Penal
Code, Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes
(Prevention of Atrocities) Act and Sections 25(1)(b)a and 26 of the
Arms Act.

The persecution case, in brief, is that appellant, Akhilesh
Yadav @ Nanhaka Yadav, came at the shop of informant, Dharmendra



Mushar in Mushar Tola to purchase pork then informant asked him the price of pork is Rs.200/- per Kilogram. Thereafter, appellant became adamant and started to abuse and assaulted through fist and slaps. On raising alarm, neighbour came there then appellant fled away and in that course, one country made loaded pistol fell down from the hand of the appellant, which was handed over to the police.

Learned counsel for the appellant submits that appellant has falsely been implicated in this case due to dirty village politics. Further submission is that appellant has no criminal antecedent and is in custody since 23.11.2019.

Having considered the facts and circumstances of the case, the impugned order is set aside and this appeal is allowed.

Let the appellant, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ist Additional Sessions Judge, Bhojpur at Ara, in connection with SC/ST Case No. 189 of 2019 arising out of Agion (G) P.S. Case No. 146 of 2019. Out of two sureties, one surety must be the close relative of the appellant.

Bhardwaj/-

(Rajendra Kumar Mishra, J)

AFR/NAFR	
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