

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.955 of 2020

Arising Out of PS. Case No.-330 Year-2019 Thana- BELHAR District- Banka

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BHUTA YADAV @ PANKAJ YADAV, Son of Bhatan Yadav, Resident of
Village - Badala and P.S.- Belhar, Distt.- Banka.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Dhananjay Kumar Pandey, Advocate
For the Respondent/s : Mr. Binay Krishna, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 01-06-2020 The matter has been taken up through Video
Conferencing.

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for regular bail vide order dated 24.12.2019 passed by the learned 1st Additional Sessions Judge, Banka in connection with GR No. 148 of 2019 arising out of Belhar P.S. Case No. 330 of 2019 registered under Sections 341, 323, 506, 307, 379/34 of the Indian Penal Code as well as Sections 3(1)(r) of the SC/ST Act.

Allegation against the FIR named person including the appellant is of commission of assault. The allegation is general and omnibus. Investigation of the case is already complete. Appellant



has stated on oath that he has got no criminal antecedent.

Considering the aforesaid, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with the aforesaid case, subject to the following conditions:-

(a) 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.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The appellant shall not leave the country without permission of the learned trial court.

If the appellant would not be able in furnishing sureties due to lockdown, he shall be provisionally released on his personal bond and the provisional bail shall be confirmed only after production of the bailors within fifteen days of restoration of normal function of the Court.

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

(Birendra Kumar, J)

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