

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.984 of 2020

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

MAHENDRA YADAV Son of Rucho Yadav Resident of Village -
Banarchuha, P.S.- Mahgama, Distt - Godda (Jharkhand)

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ajay Mukherjee
For the Respondent/s : Mr.Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 02-06-2020 Heard learned counsel for the parties.

This appeal under Section 14A(2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 has been directed against the order dated 28.01.2020 passed by learned Additional Sessions Judge-1st, Banka in G.R. No. 70(B) of 2019 (arising out of Dhankund P.S. Case No. 64 of 2019) registered under Sections 365, 323, 504/34 of the Indian Penal Code and Section 3(i)(r)(w) of SC/ST (POA) Act, whereby the prayer for bail of the appellant has been rejected.

Learned counsel appearing for the appellant submits that the appellant, who is of clean antecedent, is innocent and has not committed any offence. In fact, the co-accused having more or less similar allegation has already been granted bail by a co-



ordinate Bench of this Court in Cr. Appeal (S.J.) No. 463 of 2020 and the appellant is rotting in judicial custody since 22.01.2020. Hence, the appellant may be enlarged on regular bail.

Considering the facts and circumstances of the case, let the above named appellant be released on bail on furnishing personal bail bond to the satisfaction of the learned Additional Sessions Judge-1st, Banka in connection with G.R. No. 70(B) of 2019 (arising out of Dhankund P.S. Case No. 64 of 2019).

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

(Arvind Srivastava, J)

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