

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4615 of 2019**

Arising Out of PS. Case No.-680 Year-2017 Thana- FORBESGANJ District- Araria

ARUN YADAV @ ARUN KUMAR YADAV S/o Late Damodar Yadav R/o
Village- Parwaha Ward No. 9, P.S.- Forbesganj Simraha/Parwaha/parwaha,
District- Araria

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Anupa Nand Jha, Adv

For the Respondent/s : Mrs.Usha Kumari 1, APP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

4 24-02-2020

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 04.09.2019 in Suppl. Spl. (SC/ST)Case No.04 of 2018 passed by the learned Addl. Sessions Judge -cum- Special Judge, Araria, in connection with Forbesganj (Simraha) Police Station Case No.680 of 2017 registered under Sections 341,324,325,307,120B,427/34 of the Indian Penal Code, Section 27 of the Arms Act , later on Section 379,411,364,302,34 I.P.C. well as Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Three other co-accused, Dilip Yadav, Jhantu



Mandal and Arjun Mandal fired at the informant causing injury at the back and right hand. Though appellant is named in the list of the accused persons, however, no specific overt-act is there against the appellant.

Hence, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) 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 appellant shall fully cooperate with the trial of the case and also the appellant shall not leave the country without permission of the learned Trial Court, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

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

(Birendra Kumar, J)

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