

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.4731 of 2019

Arising Out of PS. Case No.-353 Year-2019 Thana- BAKHTIARPUR District- Saharsa

KAUSHAL YADAV Son of Anil Kumar Yadav Resident of Village -
Mohaniya, P.S.- Bakhtiyarpur (Balwa Hat O.P.), District - Saharsa.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Pramod Mishra, Advocate
For the Respondent/s : Mr.Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 03-02-2020 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 vide order dated 28.09.2019 passed by the learned Additional Sessions Judge-III-cum-Special Judge, Saharsa, in connection with Special Case No.257 of 2019, arising out of Bakhtiyarpur Police Station Case No.353 of 2019 registered under Sections 302/120B/34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(2)(v)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

FIR would reveal that some others are assailants of the deceased whereas name of the appellant surfaced as a conspirator of the crime. The appellant is in custody since



23.09.2019. Investigation of the case is already complete.

Considering the aforesaid fact, 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 following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) 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.

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

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

(Birendra Kumar, J)

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