

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5140 of 2019

Arising Out of PS. Case No.-77 Year-2019 Thana- FULKAHA District- Araria

BIPIN YADAV @ BIPEN YADAV @ VIPEN YADAV Son of Samat Lal
Yadav Resident of Village- Achara, P.S.- Fulkaha, District- Araria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Ramesh Kumar Singh, Advocate.

For the Respondent/s : Mr.Binay Krishna, Spl.PP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 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 13.06.2019 passed by the learned 2nd Addl. Sessions Judge cum Special Judge, Araria in Fulkaha P.S. Case No. 77 of 2019 registered under Sections 147, 148, 149, 341, 323, 342, 324, 307, 211, 212, 224, 225, 332, 333, 379, 353, 435, 504 and 506 of the Indian Penal Code, Section 45 of the Bihar Prohibition and Excise Act and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

When the police had gone to arrest this appellant on suspicion that the appellant is indulged in sale and purchase of



liquor illegally, other named persons allegedly abused to the informant by taking his caste name. The allegation is general and omnibus. Appellant is in custody since 30.05.2019. Investigation of the case is already complete.

Considering the facts of the case, let the appellant, above named, be released on bail, on furnishing bail bonds 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 the appeal is allowed.

(Birendra Kumar, J)

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