

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5387 of 2019**

Arising Out of PS. Case No.-5 Year-2014 Thana- KAUWAKOL District- Nawada

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DHARMNDRA YADAV @ DHARMENDRA YADAV Son of Sri Ramashish
Yadav Resident of Village - Benipur, P.S.- Rupoa, (Kauwakol), Distt.-
Nawada.

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Suresh Singh, Advocate.

For the Respondent/s : Mr.Usha Kumari, Spl. PP. 1

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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 28.08.2019 passed by the learned 1st Addl. Sessions Judge cum Special Judge, Nawada in B.P. No. 1894 of 2019, arising out of Kauwakole (Rupau) P.S. Case No. 05 of 2014 registered under Sections 147, 148, 149, 302, 201 and 504 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(2)(iv)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Co-accused Laxman Yadav alleged caused injury at the head of the husband of the informant. Appellant fired, however no injury was caused. Co-accused Laxman Yadav has



already been allowed bail by a co-ordinate Bench of this Court vide order dated 08.05.2019 passed in Cr. Appeal (SJ) No. 871 of 2019. Appellant is in custody since 31.07.2019 and charges have already been framed in the case.

Considering the aforesaid facts, 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.

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(Birendra Kumar, J)

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