

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5438 of 2019

Arising Out of PS. Case No.-587 Year-2019 Thana- SUPAUL District- Supaul

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1. MURARI YADAV Son of Late Ram Prasad Yadav
 2. Jai Prakash Yadav
 3. Balram Yadav
Both Sons of Late Krishnadeo Yadav
All Resident of Village - Laudh, Raja Kharhaur, Ward No.1, P.S.- Supaul,
Distt.- Supaul.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Birendra Kumar Singh, Adv
For the Respondent/s : Mr.Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 04-02-2020 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 23.10.2019 in SC/ST 85 of 2019 arising out of Supaul P.S.Case No.587 of 2019 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Supaul, registered under Sections 147, 148, 149, 341, 323, 324, 302 of the Indian Penal Code, Section 27 of Arms Act and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.



Informant is not an eye witness of the occurrence, however, it is stated in the FIR that informant came to know that Gajendra Yadav had caused firearm injury to the deceased and others were members of the unlawful assembly armed with lathi etc. The eye witnesses have also stated before the police that Gajendra Yadav was the only assailant of the deceased.

Considering the aforesaid fact as well as the fact that investigation of the case against the appellants is complete, let the appellants, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each 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 appellants shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

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

(Birendra Kumar, J)

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