

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.5419 of 2019

In
CRIMINAL MISCELLANEOUS No.75257 of 2019

Arising Out of PS. Case No.-89 Year-2011 Thana- BAKHARI District- Begusarai

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Lucho Yadav, Son of Ramdeo Yadav, Resident of Bahuara, P.S.- Bakhari,
Distt - Begusarai.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Ranjit Kumar Yadav

For the Respondent/s : Mr. Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 06-01-2020 This appeal has been filed for quashing of the order dated 19.08.2019 passed by the learned Special Judge, SC/ST (Prevention of Atrocities) Act, Begusarai, and for grant of bail in connection with Bakhari P. S. Case No. 89 of 2011, disclosing offences under Sections 341, 323, 376, 511, 504, 34 of the Indian Penal Code and Section 3(x) of the SC/ST Act.

This appeal appears to be the misuse of privilege of bail as the appellant was granted bail earlier but as he was not appeared, his bail bonds was cancelled, vide order dated 01.07.2019 and appellant was arrested on 14.08.2019 and since then he is in custody.

Submission of the learned counsel for the appellant is that as a matter of fact, he has gone outside the state for his



livelihood and as such, he could not appear. He is ready to abide by any condition imposed on him.

Heard learned Special P.P. also, who has opposed the prayer for bail.

Having heard both sides, considering the above submissions, made above, this appeal is allowed. The impugned order dated 19.08.2019 passed by the learned Special Judge, SC/ST (Prevention of Atrocities) Act, Begusarai, is set aside. Let the appellant, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Special Judge, SC/ST (Prevention of Atrocities) Act, Begusarai in connection with Bakhari P. S. Case No. 89 of 2011 with condition that he has to appear before the trial court as and when required, otherwise his bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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