

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1169 of 2021**

Arising Out of PS. Case No.-31 Year-2020 Thana- MAIGRA District- Gaya

Umesh Yadav S/O Prayag Yadav R/O Village-Harni, P.S-Maigra, District-Gaya

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Md. Javed Jafar Khan, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

3 20-05-2021 Heard the parties in virtual Court proceeding.

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 the learned Executive Special Judge (S.C./S.T. Act), Gaya, in connection with Maigra Police Station Case No.31 of 2020 registered under Sections 302/120B/148/307 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(1)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to the FIR, the appellant and nine others allegedly fired at Sohan Yadav @ Mahendra Yadav as a result whereof Mahendra Yadav died. The post mortem report would reveal that the doctor has found multiple fire-arm injury on



different parts of the body of the deceased.

Submission is that there is no specific allegation against the appellant. The appellant is victim of false implication due to village politics. The appellant is in custody since 31.08.2020.

Considering the nature of allegation and supporting material, I am not inclined to enlarge the appellant on bail for the present. Hence, the prayer for bail is refused. The appellant may renew the prayer for bail if the trial is not concluded within nine months from the date of receipt of a copy of this order before the Court-below itself.

Accordingly, the appeal stands rejected.

(Birendra Kumar, J)

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