

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.1252 of 2021

Arising Out of PS. Case No.-223 Year-2020 Thana- RAJAOLI District- Nawada

UDAY YADAV, Son of Raj Kishore Yadav @ Raj Kishor Mahto Resident of
Village - Nimatand, P.S.- Rajauli, Distt.- Nawada.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Birendra Kumar, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 30-07-2021

Heard the parties in virtual Court.

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 05.11.2020 passed by the learned 1st Addl. Sessions Judge cum Special Judge (SC/ST Act), Nawada in Special Case No. 114 of 2020, arising out of Rajauli P.S. Case No. 223 of 2020 registered under Sections 147, 341, 323, 307 and 302 of the Indian Penal Code and Sections 3(ii)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

It appears that some similarly situated co-accused have already been allowed bail by a co-ordinate Bench of this Court vide order at Annexure-2. Hence there is no reason for



further detention of the appellant as under trial prisoner after completion of investigation.

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 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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