

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2152 of 2021**

Arising Out of PS. Case No.-189 Year-2020 Thana- BALIYA District- Begusarai

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1. Mithlesh Kumar @ Mithlesh Yadav Son of Bhola Yadav
 2. Sarban Kumar @ Shrawan Yadav Son of Moti Yadav
 3. Lakshman Kumar @ Lakshman Yadav Son of Moti Yadav
- All are Resident of Village - Sondipi Diyara, P.S.- Ballia, Distt.- Begusarai.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shubhesh Pandey, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 01-10-2021 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 vide order dated 11.01.2021 passed by the learned Special Judge (S.C./S.T. Act), Begusarai, in connection with Ballia Police Station Case No.189 of 2020, registered under Sections 341/323/307/379/354/387/504/34 of the Indian Penal Code, Section 27 of the Arms Act and Sections 3(1)(r)(s)(ii)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Considering the nature of allegation for the offences



of the Penal Code and statement of the appellants on oath that they have got no criminal antecedent, let the appellants, above named, who are in custody since 06.01. 2021, 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 following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) 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.

(c) The appellants shall not leave the country without permission of the trial Court.

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

(Birendra Kumar, J)

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