

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2247 of 2021**

Arising Out of PS. Case No.-145 Year-2019 Thana- SARMERA District- Nalanda

Ghulo Yadav @ Karu Yadav S/O Mako Yadav @ Masudan Yadav R/O
Village-Bari Misiyan, P.S.-SARMERA District-Nalanda

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Anil Kumar No.1
For the Respondent/s : Mr. Binay Krishna

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 02-09-2021 Heard learned counsel for the appellant and learned Special
Public Prosecutor for the State.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer of bail *vide* order dated 10.01.2020 passed by learned 1st Additional Sessions Judge, Nalanda at Bihar Sharif in Sarmera P.S. Case No. 145 of 2019 registered under Sections 147, 148, 149, 302 and 504 of the Indian Penal Code and Sections 3(2), v(a), (va) of the Scheduled Castes and Sceduled Tribes (Prevention of Atrocities) Act.

Learned counsel for the appellant submits that appellant has been falsely implicated in the present case. Earlier bail application of the appellant was rejected *vide* order dated 29.05.2020 in Criminal Appeal (SJ) No. 391 of 2020 with the liberty that appellant may



renew his prayer for bail after remaining one year and six months in custody.

Learned counsel for the appellant further submits that appellant is in custody since 13.09.2019 and completed incarceration period of near about two years. He submits that there is general and omnibus allegation against the appellant and there is no specific overt act against the appellant.

Learned Spl. PP for the State opposed the prayer for bail.

In the facts and circumstances of the case, the above named appellant is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Addl. Sessions Judge Nalanda at Bihar Sharif in connection with Sarmera P.S. Case No. 145 of 2019 .

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

(Anjani Kumar Sharan, J)

GAURAV S./-

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