

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2412 of 2021

Arising Out of PS. Case No.-38 Year-2019 Thana- LADAIYATAR District- Munger

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SUJIT YADAV @ SUCHIT YADAV Son of Late Fuleshwar Yadav Resident
of Village - Tilatand Satgharwa, P.S.- Laraiyatand, District - Munger.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Kamal Kishore Jha
For the Respondent/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-07-2021 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State through virtual mode.

This is an appeal under section 14A (2) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter in short referred to as the 'SC/ST Act') against the refusal of prayer for bail vide order dated 27.02.2021 passed by learned Special Judge (SC/ST Act) cum Additional District Judge 1st Munger, in connection with Laraiyatand P.S. Case No.38 of 2019 registered under sections 302, 201, 120B IPC and section 3(2)(v), 3(i)(r)(s) of SC/ST Act.

The prosecution case in brief is that when the son of the informant not returned home, search was made by the informant and it transpired that 21 named accused persons including the appellant and 5-6 unknown persons in a planned manner



committed murder of his son. It is stated that the dead body of his son was recovered subsequently and the occurrence has taken place as a result of some land purchased by his son.

It is submitted by learned counsel for the appellant that the appellant is innocent and has been falsely implicated in this case. There is a land dispute between the parties. The informant is not an eye witness of the said occurrence but merely on suspicion that he has purchased the land and a threat was given by Vinod Yadav and others to leave the land in question, appellant has been made accused. Similarly situated co-accused Rabindra Yadav and Saurav Yadav @ Saurav Kumar Yadav have been released on bail by this court vide order dated 01.03.2021 passed in Cr. Appeal (SJ) No.950 of 2021 and order dated 24.02.2021 passed in Cr. Appeal (SJ) No.614 of 2021 respectively and co-accused Dinesh Yadav has been granted bail vide order dated 07.12.2020 passed in Cr. Appeal (SJ) No.1686 of 2020 by co-ordinate Bench of this court. The appellant has no criminal antecedent and has been languishing in custody since 27.01.2021.

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

Considering the fact that there is general and omnibus allegation against the appellant, the above named appellant is



directed to be released on bail on furnishing bail bond of Rs.25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST Act-cum-Additional District Judge- 1st Munger, in connection with Laraiyatand P.S. Case No.38 of 2019.

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

(Anjani Kumar Sharan, J)

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