

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2009 of 2020**

Arising Out of PS. Case No.-21 Year-2017 Thana- SC/ST District- Gaya

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DEO NANDAN YADAV @ KAILU YADAV Son of Rohan Yadav Resident
of Village - Punadih, P.S.- Magadh University, District- Gaya.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Gajendra Kumar Singh
For the Respondent/s : Mrs.Usha Kumari 1

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 20-01-2021

Heard learned counsel for the parties.

This appeal under Section 14A of the Schedule
Castes and Schedule Tribes (Prevention of Atrocities) Act,
1989 has been preferred against the order dated 02.03.2020,
passed by learned Exclusive Special Judge, SC/ST, Gaya in
Gaya SC/ST P.S. Case No. 21 of 2017, whereby the
appellant's prayer for regular bail has been rejected.

The appellant is in custody since 02.03.2020. It is
alleged in the F.I.R. that the appellant with other accused
persons named in the F.I.R., armed with deadly weapons
were attempting to construct a house over the informant's
land, which was allotted to her under Indira Awas Yojna. The
informant and her family members were objecting to such



attempt. It is alleged that on the appellant's instigation, other F.I.R. named accused persons started abusing the informant taking her caste name and she was subsequently assaulted by them.

Learned counsel appearing on behalf of the appellant has submitted that there is dispute between the parties in relation to a piece of land, in respect of which, the Public Grievance Redressal Officer has been approached. The charge sheet has been submitted in this case on completion of investigation.

It transpires from the impugned order that all other accused persons named in the F.I.R. have been granted regular bail except this appellant. On perusal of the F.I.R., it transpires that the accusation against this appellant cannot be said to be more serious than other accused persons named in the F.I.R., who have been allowed regular bail.

Considering the aforesaid circumstance, the impugned order dated 02.03.2020 is set aside and this appeal is accordingly allowed.

Let the appellant, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand), with two sureties of the like amount, each to the satisfaction of



learned Exclusive Special Judge, SC/ST, Gaya in Gaya
SC/ST P.S. Case No. 21 of 2017.

(Chakradhari Sharan Singh, J)

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