

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.889 of 2021**

Arising Out of PS. Case No.-65 Year-2019 Thana- SC/ST District- Nalanda

SATYENDRA YADAV Son of Sahdeo Yadav Resident of Village- Gongripar,
Police Station- Manpur, District- Nalanda.

... .. Appellant

Versus

THE STATE OF BIHAR

... .. Respondent

Appearance :

For the Appellant/s : Mr.Rabindra Prasad Singh, Advocate
For the Respondent/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

2 19-03-2021 Heard learned counsel for the appellant and the learned
Special P.P. for the State.

This Court would expect that the appellant's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

The appellant has preferred the present appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act against the refusal of his prayer for regular bail, vide order dated 13.2.2020 passed by the learned I/C 1st Additional Sessions Judge, Nalanda at Biharsharif in SC/ST P.S. Case No. 65 of 2019 (SC. Tr. No. 73 of 2020) instituted for the offence under Sections 147, 149, 448, 341, 323, 325, 427, 435, 504, 506, 307 of the Indian Penal Code, and Section 3(i)(r) & (3)(2)(v) (a) of the SC/ST Act, and also for setting aside the aforesaid order dated 13.2.2020.

The pillar of the under construction house of accused Rahul Kumar was damaged by someone for which he along with his entire family has come to the informant's "darwaja" and assaulted



indiscriminately by various means including fire arms.

It is submitted by learned Counsel for the appellant that from the FIR it appears that genesis is a property dispute. There is general and omnibus allegation against the petitioner and other. co-accused namely accused namely Guddu Yadav, Nako Yadav @ Ravindra Yadav, Nitish Yadav, Barho Yadav and Ravi Yadav have been granted bail by the court below. The appellant is in custody since 16.9.2020. He has no criminal antecedent.

Learned Special P.P. has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow appellant's prayer for bail.

Accordingly, let the appellant, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned I/C 1st Additional Sessions Judge, Nalanda at Biharsharif in connection with SC/ST P.S. Case No. 65 of 2019 (SC. Tr. No. 73 of 2020).

In the result, the appeal is allowed and the impugned order dated 13.2.2020 is set aside.

(Madhuresh Prasad, J)

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