

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.950 of 2021**

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

RABINDRA YADAV S/O - PERMESHWAR YADAV VILLAGE
TILATAND, SATGHARBA, P.S. LARAIYATAND, DISTRICT MUNGER,
BIHAR

... .. Appellant/s

Versus

THE STATE OF BIHAR

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajit Kumar Singh, Adv.
For the Respondent/s : Mr.A.G

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

2 01-03-2021 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 30.09.2020 passed by learned Special Judge, SC/ST Act-cum-A.D.J.-I, Munger in connection with Laraiyatand P.S. Case No. 38 of 2019 registered under Sections 302, 201, 120B of the Indian Penal Code and Sections 3 (2) (V), 3 (i) ® (s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Prosecution case in brief is that as per FIR, when the son of the informant not returned home, searched 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 appellant is innocent and has been falsely implicated in this case. He submits that 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, he has been made accused. He submits that similarly situated co-accused have been granted privilege of bail by this Court in Cr. Appeal No. 1686 of 2020 on 07.12.2020 and in Cr. Appeal No. 614 of 2021 on 24.02.2021. He further submits that appellant bears no criminal antecedent as stated in para-3 of this petition and he is languishing in judicial custody since 12.09.2020.

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, 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 Special Judge, SC/ST Act-cum-ADJ-I, 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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