

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.3661 of 2021**

Arising Out of PS. Case No.-315 Year-2020 Thana- ATRI District- Gaya

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1. Ritu Prasad Yadav @ Ritu Yadav, Son of Krishna Yadav, Resident of Village Sukhe Bigha, Kajur, Police Station Atri, District Gaya.
 2. Mahesh Yadav, Son of Ramchandrar Yadav, Resident of Village Sukhe Bigha, Kajur, Police Station Atri, District Gaya.

... .. Appellants

Versus

1. The State of Bihar.
2. Manoj Chaudhary, Son of Mishri Chaudhary, R/o Village Khadaua, P.S. Atri, District Gaya.

... .. Respondents

Appearance :

For the Appellant/s	:	Mr. Syed Asgher Najmi
For the Respondent/s	:	Mr. Sadanand Paswan
		Mr. Vishwa Ranjan Choudhary

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

6 10-01-2022 Heard learned counsel for the appellants, learned Special P.P. for the State as well as learned counsel appearing on behalf of the informant through virtual court proceedings.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred to as ‘the SC/ST Act’) against the refusal of prayer of bail vide order dated 05.08.2021, passed by learned Exclusive Special Judge, SC/ST Act, Gaya in connection with Atri P.S. Case No.315 of 2020, registered under Sections 147, 148, 149, 341, 323, 302, 504, 506 of the Indian Penal Code and 3(1)(r)(s)/3(2)(va) of the SC/ST Act.



The appellants and other co-accused persons are said to have abused and assaulted the informant with fists and slaps. The accused persons tied the informant with an electric pole and assaulted him with *lathi* and *danda*. When the grandmother of the informant came to save him, the appellants and other accused persons also assaulted her resulting into her death on the spot.

Learned counsel for the appellants submits that the appellants are innocent and have falsely been implicated in the present case. There is general and omnibus allegation against the appellants. It is further submitted that the appellants are in custody since 13.06.2021. It is further submitted that other co-accused persons have already been granted bail by this Court as well as by another co-ordinate Bench of this Court vide Criminal Appeal (SJ) No.3314 of 2021 dated 24.08.2021 and Criminal Appeal (SJ) No.1389 of 2021, dated 05.03.2021.

Learned Special P.P. for the State as well as learned counsel for the informant opposed the prayer for bail of the appellants.

Having considered the fact that similarly situated other co-accused persons have already been granted bail by this Court as well as another co-ordinate Bench of this Court, let



appellants, above named, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, SC/ST Act, Gaya in connection with Atri P.S. Case No.315 of 2020.

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

(Anjani Kumar Sharan, J.)

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