

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 47663 of 2015

Arising Out of PS.Case No. -157 Year- 2015 Thana -SIMARI District- BUXAR

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Vikash Yadav @ Vilash Yadav S/o Bhim Yadav resident of Village -
Gopalpur, Police Station - Simari, District - Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

4 04-11-2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends arrest in Simari
P.S. Case No. 157 of 2015 dated 28.07.2015 instituted under
Sections 3(1)(x) of The Scheduled Castes and The Scheduled
Tribes (Prevention of Atrocities) Act, 1989 (hereinafter referred
to as the 'Act').

The allegation against the petitioner along with
others is of assault by hard blunt substance on the brother of
the informant.

Learned counsel for the petitioner submits
that though the allegation is also under the Act but the same
is not applicable since it is not said to have been in public

view. Learned counsel further submits that there are three accused including the petitioner and there is no specific allegation of blow by any one person and the injury report also shows that they were simple in nature. It is further submitted that the petitioner has no criminal antecedent and the parties have also compromised.

Learned A.P.P. opposes the prayer for anticipatory bail. However, he is not in a position to controvert the fact that the allegation is general and omnibus in nature and the injury is also simple.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in Simari P.S. Case No. 157 of 2015, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the trial and be

present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J.)

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