

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2940 of 2017

Arising Out of PS.Case No. -106 Year- 2017 Thana -MAHKAR District- GAYA

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1. Ramlesh Yadav @ Ramesh Yadav, Son of Late Deoki Yadav,
2. Pappu Yadav, Son of Late Deoki Yadav.
3. Shailesh Yadav, Son of Late Deoki Yadav,
4. Sumitri Devi, Wife of Late Deoki Yadav, All are resident of village-
Inayatchak, Police Station- Mahkar in the district of Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Navin Sharma

For the Respondent/s : Mr. Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 27-11-2017 Heard the learned counsels for the appellants as well
as the Spl. P.P.

The appellants have put up a challenge to the order dated 28.08.2017 passed by the Special Judge, SC/ST, Gaya in connection with Mahkar P.S. Case No. 106/2017 instituted for the offences under Sections 341, 323, 506, 504/34 of the Indian Penal Code and Sections 3(i)(r)(s)(2)(Va) of SC/ST (Prevention of Atrocities) Act, whereby their prayer for grant of anticipatory bail has been rejected.

It has been alleged in the F.I.R. that despite settlement of dispute between the parties, the petitioners and others assaulted the informant and her husband. The occurrence



took place on 11.07.2017, but the matter was reported only on 12.07.2017.

There is general and omnibus allegation of hurling of abuses and no offence under any one of the provisions of the SC/ST (Prevention of Atrocities) Act can at all be said to have been made out. The dispute basically is regarding transaction of money.

Considering the nature of accusation against the appellants, this Court deems it appropriate to set aside the order dated 28.08.2017.

The appellants are directed to be released on their furnishing of bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, SC/ST Act, Gaya in connection with Mahkar P.S. Case No. 106/2017.

(Ashutosh Kumar, J.)

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