

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3344 of 2017

Arising Out of PS.Case No. -363 Year- 2017 Thana -BRAHMPUR District- BUXAR

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1. Durgawati Devi @ Jokhani Devi Wife of Indradeo Yadav @ Inar Yadav
 2. Indradeo Yadav @ Inar Yadav Son of Late Tilakdhari Yadav
 3. Bikarama Yadav Son of late Jaidhari Yadav
 4. Shashikant Yadav Son of Ramjanam Yadav
 5. Munna Yadav Son of Indradeo Yadav @ Inar Yadav All residents of village - Chakki, Mathura Dera, P.S. - Brahampur, District : Buxar.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bachan Jee Ojha

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 21-12-2017

Heard learned counsel for the parties.

This is an appeal under Section 14(2)(A) 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 for anticipatory bail by the learned Special Judge (S.C./S.T.), Buxar in Brahampur P.S. Case No. 363 of 2017 registered under Sections 447, 341, 323, 504, 379/34 of the Indian Penal Code as well as Sections 3(i)(r)(s) of the SC/ST Act.

A bare perusal of the FIR would reveal that there is general and omnibus allegation of commission of assault and



theft and no offence under the provisions of the SC/ST Act is attracted.

Hence, let the appellants, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with the aforesaid case, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, this application stands allowed.

(Birendra Kumar, J)

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