

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3086 of 2017

Arising Out of PS.Case No. -99 Year- 2017 Thana -ARIYARI District- SEKHPURA

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Amit Yadav, S/o Balak Yadav, Resident of Village-Bagdiha, P.S.
Pakaribarawan, District-Nawada.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ram Prasad Singh

For the Respondent/s : Mr. Sri Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 05-12-2017

The appellant has challenged the order dated 07.10.2017 passed by learned 1st Additional District & Sessions Judge, Sheikhpura in connection with Ariyari (Kasar) P.S. Case No. 99 of 2017, arising out of SC/ST Case No. 198 of 2017 for the offences under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and Sections 3(2)(v)(a), 3(r)(s) of the Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act, 1989, whereby his prayer for being released on anticipatory bail has been rejected.

It has been alleged in the F.I.R that the informant was called by one Ramashray Yadav for driving his tractor. There, the informant is said to have been assaulted and abused by many persons.

Learned counsel for the appellant has submitted



that a general allegation has been levelled against the appellant who has not done anything. He has further submitted that the appellant has been named in the F.I.R because of village politics.

Taking into account the fact that nothing specific has been alleged against the appellant, this Court is inclined to set aside the order dated 07.10.2017. While saying so, the Court has also taken note of the fact that the provisions of the SC & ST (Prevention of Atrocities) Act have only been added in order to give serious color to the facts of this case.

The appellant is directed to be released on bail in the event of his surrender before learned Court below within a period of three weeks from today and on his furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional District & Sessions Judge, Sheikhpura in connection with Ariyari (Kasar) P.S. Case No. 99 of 2017.

(Ashutosh Kumar, J)

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