

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.437 of 2018

Arising Out of PS.Case No. -50 Year- 2017 Thana -KARPI District- JEHANABAD

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1. Subhash Yadav Son of Late Milan Yadav.
2. Ravindra Yadav, Son of Mahendra Yadav.
3. Rambabu Yadav, Son of Parikhan Yadav.
4. Prasad Yadav Son of Late Ramkishun Yadav.
5. Arbind Yadav Son of Prasidh Yadav
6. Sonu Kumar Yadav @ Sonu Kumar Son of Ramakant Yadav
7. Mukesh Yadav Son of Prasidh Yadav
8. Lal Babu Yadav Son of Triveni Yadav
9. Shyambabu Yadav Son of Sidhnath Yadav

All resident of Village Nevna P.S. Karpi District Arwal..... Appellant/s

Versus

The State of Bihar Respondent/s

with

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Criminal Appeal (SJ) No. 757 of 2018

Arising Out of PS.Case No. -50 Year- 2017 Thana -KARPI District- JEHANABAD

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1. Triveni Yadav Son of Late Kailash Yadav
2. Awadhesh Yadav Son of Ramayan Yadav @ Ram Narain Yadav
3. Manoj Kumar Son of Bhikan Yadav
4. Manoj Yadav Son of Ramashray Yadav
5. Shiv Yadav Son of Kallu Yadav @ Kailu Yadav

All are resident of Village Nevna P.S. Karpi District- Arwal .. Appellant/s

Versus

The State of Bihar Respondent/s

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Appearance :

(In CR. APP (SJ) No.437 of 2018)

For the Appellant/s : Mr.

For the Respondent/s : Mr.

(In CR. APP (SJ) No.757 of 2018)

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 16-04-2018

Heard learned counsel for the parties in both the
appeals.

Both the appeals under Section 14(A) of the
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities)



Act, 1989 are against the refusal of prayer for bail by the learned 1st Additional Sessions Judge-cum-Special Judge Jehanabad, in connection with Special SC/ST Case No.41 of 2017 arising out of Karpi Police Station Case No.50 of 2017 registered under Sections 447, 147, 148, 149, 341, 323, 307, 380, 436, 504 of the Indian Penal Code and Section 3(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Father of appellant Manoj Yadav, namely, Ramshray Yadav had lodged Karpi P.S.Case No. 51 of 2017 against informant of this case and others, alleging therein, that when Ramashray Yadav went to see his crops in the field, he found that the informant of this case and others have hidden country made liquor in his field. When the father of the appellant forbade the informant and others, they committed assault etc.

According to the present FIR, there is general and omnibus allegation against the appellants of commission of assault and arson in the hut of Sushil Manjhi as well as commission of theft of Rs.10,000/-. The dispute relating to previous election is the reason for occurrence.

Considering the background and nature of allegation, it is evident that the appellants were not intending to humiliate a member of the scheduled caste and the allegation is general and omnibus, hence, let the appellants, above named,



be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) 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, with condition that the appellants shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, both the appeals stand allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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