

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3076 of 2018

Arising Out of PS.Case No. -63 Year- 2017 Thana -BARACHATTI District- GAYA

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1. Sintu Yadav
2. Bandhu Yadav Both sons of Munshi Yadav Resident of Village - Kahudag,
Police Station - Barachatti, District - Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Nikhilesh Kumar, Advocate

For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 06-09-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail vide order dated 18.07.2018 passed by the learned Special Judge (S.C./S.T. Act), Gaya, in A.B.P. No.159 of 2018, arising out of Barachatti Police Station Case No.63 of 2017, registered under Sections 147/149/341/323/325/308/506 of the Indian Penal Code and Sections 3(i) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

There is general and omnibus allegation of commission of abuse and assault for land dispute.



The FIR does not disclose that any offence under the provisions of the SC/ST Act was committed for the purpose of this appeal for anticipatory bail.

Considering the general and omnibus nature of allegation, 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/- (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/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellants.

Accordingly, the impugned order is set aside and the appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	
CAV DATE	NA
Uploading Date	
Transmission Date	

