

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4106 of 2018

Arising Out of PS. Case No.-21 Year-2018 Thana- JOGAPATTI District- West Champaran

1. Krishna Prasad, Son of Late Darshan Prasad,
2. Panalal Prasad, Son of Late Darshan Prasad,
3. Yashwant Kumar @ Jaswant Prasad, Son of Krishna Prasad. All are resident of Village- Jagiraha Pipra, Police Station- Yogapatti, District- West Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjay Kumar No.-7, Advocate
For the Respondent/s : Mr. Binay Krishna, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 18-12-2018

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 13.09.2018 passed by the learned Additional Sessions Judge-I-cum-Special Judge, Bettiah, West Champaran, in A.B.P. No.1664 of 2018, arising out of Yogapatti Police Station Case No. 21 of 2018, registered under Sections 341/323/324/379/504/34 of the Indian Penal Code and Section 3(i)(d) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

For trivial dispute, there is general and omnibus allegation against the appellants. Specific allegation is against co-



accused Laxman Prasad.

Submission is that appellants have got no criminal antecedent and co-accused Laxman Prasad has been allowed anticipatory bail by this Court in Cr. Appeal (SJ) No.4076 of 2018.

Considering the facts aforesaid, 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	NAFR
CAV DATE	NA
Uploading Date	21.12.2018
Transmission Date	21.12.2018

