

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4436 of 2018

Arising Out of PS. Case No.-162 Year-2018 Thana- JANKINAGAR District- Purnia

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1. Ashok Kumar Yadav @ Ashok Yadav, Son of Late Kameshwar Yadav @ Kameshwar Prasad Yadav,
 2. Dhirendra Yadav, Son of Late Kameshwar Yadav @ Kameshwar Prasad Yadav,
 3. Kuku Kumar @ Kakku Kumar, Son of Ashok Kumar Yadav,
 4. Ganesh Kumar Yadav @ Ganesh Yadav, Son of Late Kameshwar Yadav @ Kameshwar Prasad Yadav, All resident of Jankinagar, Sahuria Subhay Milik Kari Mandal Tola, Ward No.14, P.S.- Jankinagar, District- Purnea.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Mritunjay Kumar, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 13-12-2018

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 bail vide order dated 27.10.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Purnea, in Special (SC/ST) Case No.148 of 2018, arising out of Jankinagar Police Station Case No.162 of 2018, registered under Sections 341/323/363/365/504/506/34 of the Indian Penal Code and Section 3(1)(r)(w) of the Scheduled Castes and Scheduled



Tribes (Prevention of Atrocities) Act, 1989.

Submission is that for trivial dispute false case has been lodged with allegation of kidnapping of the brother of the informant, who was recovered soon after the alleged occurrence. The appellants have got no criminal antecedent. They are in custody since 05.10.2018.

Considering the aforesaid fact, let the appellants, above named, be released on bail on furnishing bail bond 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, with 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 appeal is allowed.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
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