

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.899 of 2018

Arising Out of PS.Case No. -219 Year- 2017 Thana -DHARHARA District- MUNGER

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1. Bikku Yadav @ Vivekanand Yadav, Son of late Kishore Yadav,
Resident of Village-Mangarh, P.S.-Dharhara, District-Munger.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Manohar Prasad Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-04-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned I/C. Sessions Judge, Munger, in connection with Dharhara Police Station Case No.219 of 2017 registered under Sections 302/120B/307/341/323/147/148/149/324/387/504/506 of the Indian Penal Code and Sections 3(i)(r)(s)/3(ii)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

A civil suit is going on between the parties since 2009. In the aforesaid background, allegation against the appellant is of commission of assault to the informant with lathi. There is no



allegation against the appellant to have assaulted to the husband of the informant, who died as a result of the assault; rather the said allegation is against other named persons.

Considering the aforesaid fact, let the appellant, above named, in the event of his 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) 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 appellant 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 appellant.

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

(Birendra Kumar, J)

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