

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.673 of 2018

Arising Out of PS.Case No. -571 Year- 2017 Thana -KOTWALI District- PATNA

- =====
1. Yogendra Singh, S/o Late Bhawar Singh,
 2. Ajay Singh S/o Yogendra Singh, Both R/o 463, Sector -39 Jharsa, P.S.-
Sadar, District- Gurugram (Haryana).

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dharendra Singh

For the Respondent/s : Mr. Binay Krishna

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 03-04-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail by the learned Special Judge (S.C./S.T.)-cum-5th Additional Sessions Judge, Patna in Kotwali P.S. Case No. 571 of 2017 registered under Sections 406, 467, 468, 471, 472, 120B, 419, 420, 416 of the Indian Penal Code, Section 138 of the Negotiable Instrument Act as well as Section 3(1)(x), 3(1)(r), 3(2)(b) of the SC/ST Act.

The allegation of commission of abuse by taking caste name of the friend of the informant is there against the appellants for dispute arising between the informant and co-accused Nirbhay Singh due to money advanced by the informant to Nirbhay Singh and bouncing of the cheque issued by Nirbhay



Singh.

Submission is that co-accused Nirbhay Singh has already been allowed bail by this Court vide order dated 29.03.2018 passed in Cr. Appeal (SJ) No. 251 of 2018. Only concocted allegation is there against the appellants just to pressurize.

Considering the background of allegation and the aforesaid fact, 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/- (rupees 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 and 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 this appeal stands allowed.

(Birendra Kumar, J)

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