

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.928 of 2018

Arising Out of PS.Case No. -74 Year- 2017 Thana -SC/ST District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Dinesh Yadav, S/o Ram Chalitar Yadav,
 2. Sanjay Yadav S/o Ram Chalitar Yadav, R/o Village- Semra, P.S.-
Muffasil, District- East Champaran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vinay Ranjan, 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)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), East Champaran, Motihari, in connection with SC/ST Police Station Case No.74 of 2017 registered under Sections 147/149/341/323/354B/504 of the Indian Penal Code and Sections 3(i) (a)(d)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to FIR, the appellants and others variously armed entered into the house of the informant and were searching for her Nanad. When the informant protested, they abused by taking caste name and committed assault.

Submission of the learned counsel for the appellants is



that the said Nanad had love affairs with appellant Sanjay Yadav, which would be evident from her statement under Section 164 Cr.P.C. in Motihari Muffasil P.S. Case No.429 of 2017 vide Annexure-2 and she alleged that false case was lodged regarding her abduction.

Considering the background and 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)

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