

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.370 of 2018**

Arising Out of PS.Case No. -12 Year- 2017 Thana -SC/ST District- JAMUI

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1. Devi Yadav, Son of Late Jhakan Yadav aged about 70 years,  
2. Rameshwar Yadav, Son of Late Jhakan Yadav,  
3. Surendra Yadav, Son of Devi Yadav.  
4. Bishun Yadav @ Baleshwar Yadav, Son of Surendra Yadav,  
5. Tuntun Yadav, Son of Surendra Yadav,  
6. Karu Yadav, Son of Rameshwar Yadav, All are resident of Village  
Baimahiya, P.S. Chandramandh, District- Jamui.

.... .... Appellant/s

Versus

1. The State of Bihar.

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Niranjana Parihar, Adv.

For the Respondent/s : Mr. Binay Krishna, APP.

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

4      22-03-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned A.D.J.-1<sup>st</sup>, Jamui in connection with Jamui SC/ST P.S.Case No. 12 of 2017 registered under Sections 341, 323, 379, 354B, 504/34 of the Indian Penal Code as well as under Sections 3 (i) (r) 3 (i) (v) A of the Scheduled Castes and Scheduled Tribes Act.

According to FIR, the appellants individually assaulted to the wife of the informant and attempted to disrobe her and outrage her modesty. There is general and



omnibus allegation of commission of abuse by taking caste name.

Submission is that the appellants have got land beside the house of the informant. Informant and his family are in habit of creating nuisance on the land of the appellants and for that reason, the false case has been lodged.

Considering the general and omnibus 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 anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of 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, this appeal stands allowed.

**(Birendra Kumar, J)**

Nitesh/-

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