

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.473 of 2018**

Arising Out of PS.Case No. -164 Year- 2017 Thana -CHANDAUTI District- GAYA

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1. Musafir Yadav @ Mosafir Yadav, Son of Komal Yadav
2. Karm Yadav, Son of Kamru Yadav
3. Vilas Yadav, Son of Komal Yadav
4. Sevak Yadav, Son of Durga Yadav
5. Raju Kumar @ Raju Yadav, Son of Sevak Yadav
6. Mukhiya Jee @ Mukhiya Yadav, Son of Komal Yadav
7. Dhaneshwar Yadav, Son of Mithu Yadav @ Mithun Yadav
8. Vinod Yadav, Son of Vishun Yadav

All Residents of Village Krit, Nawada, P.S. Chandauti, District  
Gaya

.... .... Appellant/s

Versus

The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Surendra Kumar Mishra

For the Respondent/s : Mr. Binay Krishna

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

2      19-02-2018

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.), Gaya in Chandauti P.S. Case No. 164 of 2017 registered under Sections 147, 149, 341, 323, 307, 379, 354/34 of the Indian Penal Code as well as Section 3(i)(x) of the SC/ST Act.

There is general and omnibus allegation against the appellants and the background of the allegation would not reveal that the appellants were intending to humiliate a member of



the scheduled caste.

Hence, 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, this appeal stands allowed.

**(Birendra Kumar, J)**

Kundan/-

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