

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.865 of 2018

Arising Out of PS.Case No. -7 Year- 2018 Thana -ATRI District- GAYA

- =====
1. Shiv Hari Prasad @ Shivdhari Prasad son of Ramsharan Yadav
 2. Ranjeet Yadav @ Ranjit Yadav son of Shiv Hari Prasad @ Shivdhari Prasad, Both Appellant no. 1 and 2 are resident of village Rangpur Dih, Police Station - Atri, District - Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Shailesh Kumar

For the Respondent/s : Smt Usha Kumari No-1

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 29-03-2018 Appellant no. 1 Shiv Hari Prasad @ Shivdhari Prasad

has already been arrested. Hence, his appeal for anticipatory bail is infructuous now.

Accordingly, it stands dismissed as infructuous.

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 Atri P.S. Case No. 07 of 2018 registered under Sections 341, 323, 324, 307/34 of the Indian Penal Code as well as Sections 3(1)(r)(s) of the SC/ST Act.



There is general and omnibus allegation against appellant no. 2 Ranjeet Yadav @ Ranjit Yadav and others of commission of abuse and assault by taking caste name.

Learned Special Public Prosecutor has opposed the prayer for bail.

Considering the general and omnibus nature of allegation, let the appellant no. 2, Ranjeet Yadav @ Ranjit Yadav, 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 bond of Rs.20,000/- (rupees 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 and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

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

(Birendra Kumar, J)

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