

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.667 of 2018

Arising Out of PS.Case No. -1 Year- 2018 Thana -NARHAT District- NAWADA

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1. Vijay Yadav @ Vijay Prasad Yadav, Son of Amrit Prasad,
2. Saklesh Yadav, Son of Amrit Yadav, Both are resident of Village-
Barahbatta @ Brabatta, Police Station- Narhat in the district of Nawada.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Navin Sharma, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 15-03-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by the learned 1st Additional Sessions Judge, Nawada in connection with Narhat P.S.Case No. 01 of 2018 registered under Sections 376/511 of the Indian Penal Code, Section 8 of POCSO Act as well as under Sections 3(i)(r)/3(i)(w) of the Scheduled Castes and Scheduled Tribes Act.

There is case and counter case.

Allegation is that the appellants were dragging to the minor daughter of the informant with some illicit motive. However, on alarm, the appellants fled away, leaving her alone.



Submission is that false allegation is there to save their skin from counter case.

Considering the fact that no offence under the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act is made out against the appellants, 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)

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