

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.615 of 2018

Arising Out of PS.Case No. -27 Year- 2017 Thana -SC/ST District- SASARAM (ROHTAS)

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1. Lalit Yadav, S/o Sarju Yadav,
 2. Banarsi Yadav
 3. Satya Narain Yadav Both Sons of Naresh Yadav,
 4. Uttam Yadav S/o Ram Kumar Yadav, All are R/o Village- Chhitra Tar,
P.S.- Chenari, District- Rohtas.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Surender Prasad Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 09-03-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned Additional Sessions Judge-I, Rohtas at Sasaram in SC/ST Dehri Police Station Case No.27 of 2017 registered under Sections 147/148/149/341/323/379/354/435/504/506 of the Indian Penal Code and Sections 3(i) (r)(s)(w)(I)(II) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The allegation is general and omnibus of commission of abuse by taking caste name.

Submission is that the offence under the provisions of



the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act would not be applicable in view of no specific allegation against any of the appellants.

Considering the aforesaid facts especially general and omnibus 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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