

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3334 of 2017

Arising Out of PS.Case No. -103 Year- 2017 Thana -KUTUMBA District- AURANGABAD

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1. Nagendra Yadav, Son of Late Jay Murat Yadav, resident of Village-
Labharibigha, P.S.- Kutumba, District: Aurangabad.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bachan Jee Ojha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 04-01-2018

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 against the refusal of prayer for anticipatory bail by the learned Additional Sessions Judge-I-cum-Special Judge (S.C./S.T. Act), Aurangabad, in connection with Kutumba Police Station Case No.103 of 2017 registered under Sections 147/149/342/323/337/307/332/353/324/504/506 of the Indian Penal Code and Sections 3(i)(r)/3(i)(s)/3(2)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Allegation against the appellant and others is of abusing the police personnel by taking caste name.

It appears that similarly situated co-accused Dulari



Devi has been allowed anticipatory bail by a coordinate Bench of this Court in Cr. Appeal (SJ) No.3006 of 2017.

Considering the aforesaid facts, let the appellant, above named, 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 bonds of Rs.20,000/- (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/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the appellant.

Accordingly, the appeal stands allowed.

(Birendra Kumar, J)

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