

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1892 of 2018

Arising Out of PS.Case No. -88 Year- 2016 Thana -PAUTHU District- AURANGABAD

- =====
1. Dharmendra Kumar @ Dharmendra Yadav S/o. Birendra Yadav @ Birendra Singh,
 2. Birendra Yadav @ Birendra Singh S/o. Bhuneshwar Singh @ Bhuvaneshwar Singh @ Bhuneshwar Yadav,
- Both are resident of village-Shahpur, P.S. Pauthu, District- Aurangabad.
.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Bhaskar Shankar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 29-05-2018

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 1st Additional Sessions Judge-cum-Special Judge (S.C./S.T. Act), Aurangabad, in connection with Pauthu Police Station Case No.88 of 2016 registered under Sections 341/323/427/428/504/34 of the Indian Penal Code and Sections 3(i)(r)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to FIR, cock and hen of the informant had grazed the crop of the appellant as a result whereof they died as pesticide was kept hidden in the pot. For that reason occurrence of



abuse and assault allegedly took place.

Submission is that the police has submitted final form not sending up the accused on trial.

Considering the aforesaid facts, 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)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	30-05-2018
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