

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Appeal (SJ) No.2129 of 2018**

Arising Out of PS. Case No.-9 Year-2018 Thana- SIMRA District- Aurangabad

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1. Sadhu Yadav,
  2. Satrugan Yadav, Both S/o Late Laxman Yadav, R/o Village Kundiwar P.S.- Simra, District- Aurangabad.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Ashok Kumar Singh  
For the Respondent/s : Mr. Sadanand Paswan

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL JUDGMENT**

**Date : 25-07-2018**

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 18.04.2018 passed by the learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, (SC/ST) Act, Aurangabad in connection with Simra Police Station Case No.09 of 2018 registered under Sections 341, 323, 379, 504, 506/34 of the Indian Penal Code and Section 3(1)(r)/3(1)(s)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

There is case and counter case. The appellants have got no criminal antecedent. The present F.I.R. would reveal that occurrence of abuse and assault was committed for dispute relating



to cutting the crops, whereas counter case would reveal that the informant of this case has not paid the cost of tilling done by the tractor of the appellants.

Considering the entire facts aforesaid, in my view, the appellants deserve anticipatory bail. Hence 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/- (Rupees 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

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

**(Birendra Kumar, J)**

abhishek/-

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