

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2163 of 2018

Arising Out of PS. Case No.-21 Year-2018 Thana- MANSI District- Khagaria

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1. Anil Yadav son of Late Madan Yadav,
 2. Ashok Yadav, son of Late Shoomi Yadav @ Bhoomi Yadav,
 3. Santosh Yadav son of Tarni Yadav,
 4. Ramvinay Singh @ Ramvinay Yadav son of Late Bali Yadav @ Balo Mahto,
 5. Dijan Sinha son of Late Abdul Sinha, All are resident of Village- Chukti, Police Station Mansi, District- Khagaria.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Shivendra Kumar Sinha
For the Respondent/s : Mr. Binay Krishna

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 21.05.2018 passed by the learned Additional Sessions Judge-1st, Khagari, in Special A.B.P. No.29 of 2018, arising out of Mansi Police Station Case No.21 of 2018 registered under Sections 147, 148, 341, 323, 427, 379, 354(A), 504, 506 of the Indian Penal Code and Section 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Co-accused, *Mantu Kumar* had lodged Mansi Police Station Case No.20 of 2018 under different sections of the Indian



Penal Code including under Section 436 of the Indian Penal Code against the informant of this case and others.

In the aforesaid background allegation is general and omnibus that all the F.I.R. named accused persons allegedly abused, assaulted and committed theft against the informant.

Submission is that just to pressurize in the earlier case, the present false case has been lodged.

Finding substance in the submission aforesaid, 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/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	28.07.2018
Transmission Date	28.07.2018

