

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1845 of 2018

Arising Out of PS.Case No. -26 Year- 2018 Thana -ROUH District- NAWADA

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1. Chhotelal Yadav Son of Sital Yadav
2. Deonandan Yadav @ Dev Yadav Son of Late Hari Yadav
3. Sumitra Devi Wife of Chhotelal Yadav All are residents of Village Banshichak,
P.S. - Roh, District Nawada.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :
For the Appellant/s : Mr. Sheo Kumar Prasad, Advocate
For the Respondent/s : Smt. Usha Kumari No.I, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT
Date: 18-07-2018

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 against the refusal of prayer for anticipatory bail vide order dated 27.04.2018 passed by the learned Additional Sessions Judge 1st -cum-Special Judge, Nawada, in A.B.P. No.498 of 2018, arising out of Roh Police Station Case No.26 of 2018, registered under Sections 341/323/379/504/34 of the Indian Penal Code and Sections 3(i) (r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

For dispute relating to path between the two parties the appellants allegedly committed assault and abused against the informant and others.

Learned counsel for the informant opposed the prayer for



anticipatory bail.

Perused the case-diary produced by the informant as well as injury report.

Considering the general and omnibus nature of allegation as well as the background of the allegation, let the appellants, above named, who got no criminal antecedent, 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
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