

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3526 of 2017

Arising Out of PS.Case No. -220 Year- 2017 Thana -ALOU LI District- KHAGARIA

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1. Ramgati Yadav, Son of Bhikho Yadav,
2. Mahesh Yadav, Son of Bhikho Yadav,
3. Bhikho Yadav, Son of Late Biran Yadav, All residents of Village- Buchai
Tol, P.S.- Alouli, District- Khagaria.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sada Nand Roy, Advocate

For the Respondent/s : Smt Usha Kumari No-1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 08-01-2018 Heard learned counsel for the parties.

This is an appeal under Section 14(A) 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, 1st –cum-Special Judge, Khagaria, in Alouli Police Station Case No.220 of 2017 registered under Sections 147/341/323/447/504 of the Indian Penal Code and Sections 3(i)(r)(s) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The allegation of commission of abuse by taking caste name of the informant is against co-accused Mukesh Yadav. In the circumstances, offence under the provisions of SC/ST Act is not



attracted against the appellants.

Considering the allegation as disclosed under the Indian Penal Code above, 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 appeal stands allowed.

(Birendra Kumar, J)

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