

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2609 of 2018

Arising Out of PS.Case No. -87 Year- 2015 Thana -SC/ST District- BHOJPUR

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1. Bindeshwari Yadav @ T. I. Yadav son of Late Mater Yadav, resident of Village-
Dewariya, Police Station- Udwant Nager, District- Bhojpur.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anil Kumar, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 18-08-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 31.05.2018 in A.B.P. No.506 of 2018 passed by the learned Additional District and Sessions Judge-1st, Bhojpur at Ara in connection with Bhojpur SC/ST P.S.Case No. 87 of 2015 registered under Sections 341,323,427,504,379/34 of the Indian Penal Code as well as under Sections 3(i)(x)(v) of the Scheduled Castes and Scheduled Tribes Act.

Submission is that there is bonafide land dispute between the parties and just to pressurize, the present false case has been lodged with allegation that the appellant committed abuse and assault.



Considering the nature of allegation and statement of the appellant on oath that he has got no criminal antecedent, let the appellant, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of 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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further the appellant 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 appellant.

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

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
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