

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3570 of 2018

Arising Out of PS. Case No.-13 Year-2018 Thana- SC/ST District- Jehanabad

1. Rajnandan Singh @ Raju Yadav Son of Late Harihar Yadav.
2. Bipin Kumar @ Bipin Yadav, Son of Krishna Yadav.
Both R/o Village-Khabaini, P.S.-Rampur Chauram, District-Arwal
... .. Appellant/s

Versus

The State Of Bihar
... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Rajesh Kumar, Adv
For the Respondent/s : Mr. Binay Krishna, SPP

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

Date : 07-12-2018

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 30.08.2018 passed by the learned Additional Sessions Judge-I, Jehanabad, in A.B.P. No.1467 of 2018, arising out of Arwal SC/ST Police Station Case No. of 13 of 2018, registered under Sections 341/323/307/354B/504/506/34 of the Indian Penal Code and Sections 3(i)(f)/3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR would reveal that there is land dispute between the parties and in the aforesaid background allegation is of commission of abuse and assault as well as attempt to outrage the modesty of the



female members of the family of the informant.

Considering the background of allegation, the chances of mala fide prosecution cannot be ruled out, 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 impugned order is set aside and the appeal is allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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