

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3940 of 2018

Arising Out of PS. Case No.-61 Year-2015 Thana- SC/ST District- Nawada

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1. Shailesh Yadav, Son of Rajendra Yadav,
 2. Manoj Yadav, Son of Sidheswar Yadav,
 3. Pradeep Yadav, Son of Arjun Yadav,
 4. Pappu Yadav, Son of Kulo Yadav, All are resident of Village- Khemchand Bigha, P.S.- Nagar Nawada, District- Nawada.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sheo Kumar Prasad

For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 17-12-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 07.09.2018 in A.B.P. No. 1434 of 2018 passed by the learned 1st Additional Sessions Judge, Nawada in connection with Nawada SC/ST P.S. Case No. 61 of 2015 registered under Sections 341, 323, 504, 506/34 of the Indian Penal Code as well as Sections 3(i)(x) of the SC/ST Act.

Considering the general and omnibus nature of allegation, the fact that the appellants have got no criminal antecedent and the offences of the Indian Penal Code alleged



against the appellants are bailable, 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 anticipatory 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 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 as well as condition that both the bailors shall be resident of the territorial jurisdiction of the learned court below.

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

(Birendra Kumar, J)

Kundan/Ravi

AFR/NAFR	N.A.
CAV DATE	N.A.
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