

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.3000 of 2018

Arising Out of PS.Case No. -169 Year- 2018 Thana -GAYA MUFFSIL District- GAYA

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1. Sandep Yadav, Son of Baiju Yadav,
2. Sandeep Kumar @ Sandeep @ Butta Yadav, Son of Chander Yadav,
3. Ranjit Yadav, Son of Baiju Yadav.
4. Sarman Kumar @ Srawan Kumar @ Tuntun Son of Shambhu Yadav.
5. Sanjit Kumar @ Bittu, Son of Baiju Yadav.
6. Raju Yadav @ Raju Kumar, Son of Keshar Yadav.
7. Dilip Yadav, Son of Chander Yadav, all resident of Village- Gare Akal Bigha,
P.S.- Mofassil, District- Gaya. Appellant/s

Versus

1. The State of Bihar. Respondent/s

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Appearance :

For the Appellant/s : Mr. Sheikh Arkan Ahmad, Adv

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

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 02-11-2018

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 02.06.2018 in A.B.P. No.121 of 2018 passed by the learned Special Judge SC/ST, Gaya in connection with Muffasil P.S.Case No. 169 of 2018 registered under Sections 354(B), 341, 323, 379 of the Indian Penal Code and Sections 3(1)(r) (s)(i)(x) of the Scheduled Castes and Scheduled Tribes Act.

The Programme Officer, Manpur, Gaya had lodged Gaya Muffasil P.S. Case No. 77 of 2018 against Sundar Ravidas, the local Former Mukhiya and husband of the present informant, alleging therein misappropriation of money of MANREGA Scheme by not making payment to the labourers.

Submission is that the appellants had supported the



cause of those labourers for the reason that the appellants are relative of the labourers and just to pressurize, the present false case has been lodged by the wife of the Mukhiya alleging therein that the appellants came to the house of the informant committed abuse and assault and attempted to outrage the modesty of the informant.

Considering the background of allegation, chances of malafide prosecution of the appellants cannot be ruled out, hence, 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 bond of Rs.20,000 (Twenty Thousand) each 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 further 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 this appeal stands allowed.

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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