

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2888 of 2018

Arising Out of PS. Case No.-22 Year-2018 Thana- SC/ST District- Patna

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1. Kamat Yadav @ Kamta Yadav son of Mohan Yadav,
 2. Dharmendra Yadav son of Kamat Yadav.
 3. Pintu Yadav son of Kamat Yadav
 4. Mahavir Yadav son of Late Bharosha Yadav.
 5. Bikram Yadav @ Bikram Kumar son of Satendra Yadav
 6. Guddu Yadav son of Samat Yadav.
 7. Lalu Yadav son of Samat Yadav. All are resident of Village- Dariyapur Prem, P.O.- Masaurha, Police Station- Paliganj, District- Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Manish Kumar No-2
For the Respondent/s : Smt Usha Kumari No-1

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 25-09-2018

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 07.06.2018 passed by the learned Special Judge, S.C./S.T. Act-cum-Additional Sessions Judge-V, Patna in A.B.P. No.3932 of 2018, arising out of SC/ST Patna Police Station Case No.22 of 2018 registered under Sections 147, 341, 323, 307, 354, 379, 504, 506 of the Indian Penal Code and Sections 3 (1) (r) (s) (w) and 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



For the same occurrence dated 09.05.2018, two F.I.Rs. were lodged, one by husband of the present informant i.e. Paliganj P.S. Case No. 139 of 2018 and another case is present one. In the Paliganj case aforesaid, appellants have already been allowed anticipatory bail by this Court on 12.09.2018 passed in Criminal Appeal (SJ) No. 2868 of 2018.

Considering the aforesaid facts, 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/- (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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

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

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

