

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.3966 of 2018

Arising Out of PS. Case No.-108 Year-2015 Thana- BAUNSI District- Banka

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1. Lal Mohan Yadav Son of JagarnathYadav
 2. Chandi Yadav Son of Raghu Yadav
 3. Bhim Yadav Son of Kameshwar Yadav
 4. Rohit Kumar @ Rohit Yadav Son of Kameshwar Yadav
 5. Rama Nand Yadav son of late Hari Yadav
 6. Pinky Devi @ Pinky Yadav wife of Satya NarayanYadav
 7. Karami Devi Wife of Lal Mohan Yadav All are Resident of Village-Teliya Kura,P.S. Bounsi, Distt.-Banka

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Brij Nandad 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 against the refusal of prayer for anticipatory bail vide order dated 16.08.2018 passed by the learned Additional Sessions Judge-I, Banka, in A.B.P. No.927 of 2018, arising out of Bounsi Police Station Case No.108 of 2015, registered under Sections 147/148/149/341/323/324/504/506 of the Indian Penal Code and Section 3(i)(x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The offences of the Indian Penal Code alleged against



the appellants are bailable. After investigation the police did not send up the appellants for trial. However, the learned Magistrate has differed with the police report.

Considering the nature of allegation and the background of allegation which is land dispute, 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 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)

Mkr./-

AFR/NAFR	NAFR
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