

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.4116 of 2018

Arising Out of PS. Case No.-46 Year-2018 Thana- ANTICHAK District- Bhagalpur

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Tuno Yadav @ Abdhesh Yadav, Son of Late Bhola Yadav, Resident of Village-
Parshuramchak, P.S. - Antichak, District-Bhagalpur.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Amish Kumar, Advocate
		Mr. Shankar Kumar Choudhary, Advocate
For the Respondent/s	:	Mr. Sadanand Paswan, S.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 11-12-2018

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 regular bail vide order dated 26.09.2018 in G.R. No. 4194 of 2018 A passed by the learned 3rd Additional Sessions Judge-cum-Special Judge S.C./S.T. (POA) Act, Bhagalpur in connection with Antichak P.S. Case No. 46 of 2018 registered under Sections 341, 323, 504, 506, 307, 147, 148, 149, 447 of the Indian Penal Code and Section 27 of the Arms Act as well as Section 3(1)(r)(s), 3(2) (va) of the SC/ST Act.

Title Suit No. 220 of 2001 is going on between the



parties for land dispute in the Court of learned Sub-Judge, Bhagalpur. In the aforesaid background, allegation is that on 22.06.2018, the appellant and others were plucking the mango from the orchard of the informant and for that reason, an occurrence of abuse and assault was committed. The allegation is general and omnibus of commission of aforesaid act as well as of commission of firing which caused injury to the mother of the informant.

Submission of the learned counsel for the appellant is that even the impugned order would reveal that there is no injury report on the record. Moreover, the allegation is general and omnibus.

Finding substance in the submission aforesaid, let the appellant, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) 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 condition that the appellant 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 appellant 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/Rajan

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	11.12.2018
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