

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1293 of 2018

Arising Out of PS. Case No.-29 Year-2017 Thana- SC/ST District- Nawada

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1. Sanjay Yadav, S/o Basudeo Yadav
 2. Gita Devi, W/o Sanjay Yadav, Both Resident of Mohalla- Navin Nagar, P.S. Nawadah, District- Nawadah.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Hansraj

For the Respondent/s : Mr. Binay Krishna

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-05-2018 Heard learned counsel for the appellants and learned
Special P.P. for the State.

This is an appeal under Section 14 A(2) of the Schedule Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989 against refusal of the prayer for anticipatory bail in connection with SC/ST P.S. case no. 29 of 2017, registered under Sections 341, 323, 504 and 427/34 of the Indian Penal Code and Sections 3(1)(r)(iv) of the SC/ST (Prevention of Atrocities) Act.

Learned counsel for the appellants have submitted that they have got no criminal antecedents. In the written report, it is alleged that when the informant was coming from the Bazar these appellants had beaten her she goat and when



she raised objection then the appellants abused by calling her caste name and assaulted her with brick, stones and lathi. The counsel for appellants has further submitted that they have been falsely implicated because informant is running Khatal to which the appellants raise objection.

Considering the aforesaid facts, let the appellants, above named, in the event of their arrest/surrender within six weeks from today in connection with SC/ST P.S. case no. 29 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge (spl. Judge), Nawada, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) appellants shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the appellants and (3) if appellants tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the appellants.



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

(Sanjay Priya, J)

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