

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.708 of 2018

Arising Out of PS.Case No. -8 Year- 2017 Thana -HISUA District- NAWADA

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1. Arvind Yadav, Son of Jagdish Yadav,
2. Baran Yadav, Son of Lula Yadav,
3. Lakhan Yadav, Son of Shyam Yadav.
4. Ruplal Yadav @ Rupu Yadav, Son of Shyam Yadav, All are resident of village-
Manjhwe, P.S. Hisua, District- Nawada.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sheo Kumar Prasad, Advocate

For the Respondent/s : Smt. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 19-06-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A) (2) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail by the learned 1st Additional Sessions Judge, Nawada, in connection with Hisua Police Station Case No.08 of 2017 registered under Sections 147/148/341/323/504 of the Indian Penal Code and Section 3(i) (r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

The FIR prima facie discloses offence under the Provisions of Scheduled Castes and Scheduled Tribes (Prevention of



Atrocities) Act for the purpose of consideration of this prayer for anticipatory bail. Hence, this appeal against refusal of prayer for anticipatory bail stands dismissed.

Appellant Baran Yadav has already been arrested. Hence, his prayer is otherwise also infructuous.

It is made clear that in the event of surrender of the appellants, their prayer for regular bail shall be considered without being prejudiced by this order and considering the fact that allegation of assault is general and omnibus.

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
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