

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1536 of 2018

Arising Out of PS.Case No. -35 Year- 2018 Thana -ATHMALGOLA District- PATNA

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Anil Yadav, Son of Late Nande Yadav @ Nand Lal Yadav, Resident of Village-
Chanda, P.S. Athamalgola, District-Patna.

.... Appellant/s

Versus

The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Surendra Kumar Mishra, Adv

For the Respondent/s : Mr. Binay Krishna, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 27-09-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 10.04.2018 in A.B.P. No.2314 of 2018 read with Athamalgola P.S.Case No. 35 of 2018 passed by the learned Special Judge, SC/ST-cum-Additional Sessions Judge-V, Patna registered under Sections 143,341,323,379 of the Indian Penal Code, 27 of Arms Act as well as under Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes Act.

There is general and omnibus allegation against 20-25 person including the appellant of commission of abuse and assault, for the reason that without permission of the informant, electric pole was installed in the field of the informant. Appellant



has stated on oath that he has got no criminal antecedent.

Considering the general and omnibus nature of allegation, let the appellant, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000 (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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further 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.

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

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.09.2018
Transmission Date	28.09.2018

