

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.1681 of 2018

In

Criminal Miscellaneous No.24949 of 2018

Arising Out of PS. Case No.-82 Year-2017 Thana- BARABAR TOURIST District- Jehanabad

Ramanand Yadav, S/o Basudeo Yadav, R/o Village- Upadhyay Bigha, P.S.-
Barabar (Paryatak), Bisunganj – Out Post, District – Jehanabad.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Kiran Sinha

For the Respondent/s : Mr. Satyadev Prasad Singh Yadav

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date : 17-07-2018

Heard learned counsel for the parties.

This is an appeal under Section 14 A 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 anticipatory bail vide order dated 26.02.2018 passed by the learned Additional Sessions Judge-1st, Jehanabad, in A.B.P. No.203 of 2018, arising out of Barabar Tourism (Bisunganj O.P.) Police Station Case No.82 of 2017 registered under Sections 341, 323, 504, 506, 326, 386, 307/34 of the Indian Penal Code and Section 27 of the Arms Act as well as Section 3 (2) (VA) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2016.

Uday Yadav, son of the present appellant had lodged a case under Section 302 of the Indian Penal Code against the son of the informant vide Makhdumpur Police Station Case No.21 of 2016 at



Annexure-2. Thereafter, the present F.I.R. has been lodged with allegation against *Uday Yadav* to have caused firearm injury to the son of the informant. The appellant was also there.

Considering the background of allegation and the fact that there is no overt act alleged against the appellant, 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 bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellant shall fully co-operate 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)

abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

