

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Appeal (SJ) No.1397 of 2018**

Arising Out of PS.Case No. -168 Year- 2017 Thana -MAGADH MEDICAL COLLEGE District-  
GAYA

=====

1. Rajesh Yadav @ Rajesh Kumar S/o Lakhan Yadav Resident of Village-Virhut,  
P.S.-Cherki (Bodh Gaya), District-Gaya.

.... .... Appellant/s

Versus

1. The State of Bihar

.... .... Respondent/s

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**Appearance :**

For the Appellant/s : Mr. Ajay Kumar Sinha, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**

**ORAL JUDGMENT**

**Date: 05-07-2018**

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 against the refusal of prayer for anticipatory bail vide order dated 03.04.2018 passed by the learned Exclusive Special Judge (S.C./S.T. Act), Gaya, in A.B.P. No.61 of 2018, arising out of Magadh Medical Police Station Case No.168 of 2017, registered under Sections 147/148/149/341/323/504/379 of the Indian Penal Code and Sections 3(i)/w(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

According to FIR, eight persons, who were covering their face, allegedly committed abuse and assault against the informant for



the reason that informant was a local leader.

Submission is that allegation is not specific against anyone. There is no other eyewitness of the occurrence.

Finding substance in the aforesaid submission, 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 bonds of Rs.20,000/- (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 the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as 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.

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

**(Birendra Kumar, J)**

Mkr./-

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