

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2504 of 2018

Arising Out of PS. Case No.-2 Year-2017 Thana- BABUBARHI District- Madhubani

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1. Mahendra Yadav @ Mahendra Prasad Yadav, son of Late Niras Yadav
 2. Urmila Devi wife of Mahendra Yadav Both r/o Village Barail, P.S. Babubarahi, Distt Madhubani.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Md. Soban Asghar, Advocate
For the Respondent/s : Mr. Sri Sadanand Paswan, SPP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 14-12-2018

Heard learned counsel for the parties.

This is an appeal under Section 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the refusal of prayer for anticipatory bail vide order dated 16.05.2018 passed by the learned 1st Additional Sessions Judge, Madhubani, in A.B.P. No.275 of 2018, arising out of Babubarhi Police Station Case No.2 of 2017, registered under Sections 341/323/354B/504/379/34 of the Indian Penal Code and Sections 3(i)(x)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Appellant No.1 Mahendra Yadav is PDS dealer and



appellant No.2 Urmila Devi is his wife.

Allegation is that the informant had gone to take the grain from the public distribution shop. Appellant No.1 measured lesser quantity and instead of 35 Kgs he supplied only 28 Kgs and for that reason an altercation took place and the appellants abused and assaulted the informant by taking caste name. The appellants have stated on oath that they have got no criminal antecedent and false allegation is there as the informant was not ready to pay the price of the subsidized gran.

Considering the facts of the case aforesaid, let the appellants, above named, in the event of their 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) each 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 appellants 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 appellants.

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

(Birendra Kumar, J)

Mkr./-

AFR/NAFR	NAFR
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