

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2861 of 2018

Arising Out of PS. Case No.-196 Year-2018 Thana- TURKAULIYA District- East
Champaran

-
1. Bharat Yadav
 2. Sugan Yadav @ Shatrudhan Kumar,
 3. Rambabu Yadav, All are sons of Bhuti Yadav,
 4. Bhuti Yadav, Son of Late Denukh Rai, All resident of Village-
Laxmipur, Bhadariya, P.S.- Raghunathpur O.P., District- East
Champaran.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Umesh Chandra Verma
For the Respondent/s	:	Mr. Sadanand Paswan
For the Informant	:	Mr. Anil Kumar

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 09-10-2018

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 (hereinafter referred to as the “SC/ST Act”) against the refusal of prayer for anticipatory bail vide order dated 09.07.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, SC/ST (POA) Act, East Champaran at Motihari in A.B.P. No.1696 of 2018, arising out of Turkaulia (Raghunathpur O.P.) Police Station Case No.196 of 2018 registered under Sections 341, 323, 379, 427, 506/34 of the Indian Penal Code and Sections 3 (i) (x) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



There is land dispute between the two neighbours and for that dispute there is case and counter. The offences alleged under the provision of Indian Penal Code are mostly bailable.

Learned counsel for the informant opposed the prayer for anticipatory bail, on the ground that the Supervising Authority has found the allegation true.

Considering the background of allegation and the nature of allegation, 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/- (Rupees 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 conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the appellants shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the appellants.

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

(Birendra Kumar, J)

abhishek/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

