

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No. 2086 of 2018

Arising Out of PS.Case No. -223 Year- 2018 Thana -BARACHATTI District- GAYA

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1. Sakindra Yadav @ Sikandar Yadav, Son of Mohan Yadav
 2. Gorakh Yadav @ Grouv Yadav, Son of Mohan Yadav
 3. Yogesh Yadav @ Yugesh Yadav @ Jogesh Yadav, Son of Mahendra Yadav
 4. Mahendra Yadav, Son of Mohan Yadav
 5. Upendra Yadav, Son of Barhan Yadav
 6. Inderdeo Yadav @ Indradeo Yadav, Son of Late Arjun Yadav
 7. Akaldeo Yadav, Son of Mohan Yadav
 8. Suman Yadav @ Sumant Yadav @ Sumat Kumar, Son of Mahendra Yadav
 9. Khilawan Yadav @ Khelaman Yadav, Son of Late Laxman Yadav
 10. Lalan Yadav, Son of Late Laxman Yadav
 11. Mukesh Yadav, Son of Mohan Yadav, All residents of Village - Makhraur, P.S. Barachatti, District - Gaya.

.... Appellant/s

Versus

1. The State of Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 26-10-2018

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 16.05.2018 in A.B.P. No. 98 of 2018 passed by the learned Exclusive Special Judge SC/ST, Gaya in connection with Barachatti P.S. Case No. 223 of 2018



registered under Sections 147, 149, 341, 323, 448, 308, 325, 354B, 379, 504, 506 of the Indian Penal Code as well as Sections 3(1)(r)(s)(wi) of the SC/ST Act.

The perusal of the FIR would reveal that offences under the SC/ST Act are *prima facie* disclosed for the purpose of consideration of their prayer for anticipatory bail. Moreover, there is no material to substantiate any strong motive on the part of the informant to *mala fide* prosecute the appellants.

Learned counsel for the appellants submits that there is counter case also.

Hence, I am not inclined to enlarge the appellants on anticipatory bail. Accordingly, this appeal against refusal of prayer for anticipatory bail stands dismissed.

(Birendra Kumar, J)

Kundan/-

AFR/NAFR	N.A.
CAV DATE	N.A.
Uploading Date	31.10.2018
Transmission Date	31.10.2018

