

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.1993 of 2018

Arising Out of PS. Case No.-48 Year-2017 Thana- MURLIGANJ District- Madhepura

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1. Gopal Yadav, Son of Nageshwar Yadav,
 2. Ranvijay Yadav, S/o Kamo Yadav,
 3. Kamal Kishore, S/o Late Siyaram Yadav, All resident of Village- Kolhaipatti, Police Station- Murliganj, District- Madhepura.

... .. Appellant/s

Versus

The State of Bihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Arpana Kumari
For the Respondent/s : Mr. Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL JUDGMENT

Date : 18-07-2018

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 16.05.2018 passed by the learned 1st Additional Sessions Judge, Madhepura, in A.B.P. No.373 of 2017, arising out of Murliganj Police Station Case No.48 of 2017 registered under Sections 341, 342, 323, 447, 379, 504/34 of the Indian Penal Code and Section 3 (1) (S) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

Submission is that land dispute between the parties is the reason for the alleged occurrence. Co-accused namely, (1) *Butan Yadav @ Butan Yadav* and (2) *Sharwan Yadav* have already



been allowed anticipatory bail by co-ordinate Bench of this Court vide *Annexure-3*.

Considering the aforesaid facts, 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/-

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Transmission Date	

