

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2620 of 2018

Arising Out of PS.Case No. -56 Year- 2018 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Rajesh Yadav,
 2. Kishore Yadav, Both sons of Dhurendra Yadav, resident of Village- Khairatiya Manpur, P.S.- Yogapatti, District- West Champaran.

.... Appellant/s

Versus

1. The State of Bihar

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Sanjeev Kumar, Advocate
For the Respondent/s : Mr. Sadanand Paswan, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 23-08-2018

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 30.05.2018 passed by the learned 1st Additional Sessions Judge-cum-Special Judge, Bettiah, West Champaran, in A.B.P. No.764 of 2018, in connection with Yogapatti (Nawalpur) Police Station Case No.56 of 2018, registered under Sections 341/323/504/34 of the Indian Penal Code and Sections 3(i)(r) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Submission is that the offences of the Indian Penal Code



alleged against the appellants are bailable. The appellants have got no criminal antecedent and false implication is there for trivial dispute between the children of the two family.

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/- (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
CAV DATE	NA
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