

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2675 of 2018

Arising Out of PS.Case No. -253 Year- 2017 Thana -MANIGACHI District- DARBHANGA

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1. Laxmi Yadav, Son of Late Babujee Yadav, Resident of Village- Gopalpur,
Police Station- Manigachhi, District- Darbhanga. Appellant/s

Versus

1. The State of Bihar. Respondent/s

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Appearance :

For the Appellant/s : Mr. Girish Chandra Jha, Adv

For the Respondent/s : Smt. Usha Kumari No.1, SPP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR

ORAL JUDGMENT

Date: 24-08-2018

Heard learned counsel for the parties.

This is an appeal under Sections 14(A)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, against refusal of the prayer for anticipatory bail by order dated 27.06.2018 in A.B.P. No.573 of 2018 passed by the learned Sessions Judge, Darbhanga in connection with Manigachhi P.S.Case No. 253 of 2017 registered under Sections 341,323,324,325,307,379,427,504,354,506 and 34 of the Indian Penal Code as well as under Sections 3(i)(r)(s) & 3(2)(v) of the Scheduled Castes and Scheduled Tribes Act.

The FIR would reveal that Anila Devi, niece of this appellant married with the informant in the year 2008. The marriage was not liked by the family members and for that reason, other named persons allegedly assaulted to the informant and others. The appellant also caused injury with dagger near the forehead and neck of the informant. The appellant is ready to file affidavit before the learned court below



that the appellant and his family members would not interfere in the matrimonial life of the informant.

In the event of filing of the aforesaid affidavit, let the appellant, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of 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 and both bailors shall be resident of territorial jurisdiction of the learned court below and further the appellant 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 appellant.

The violation of the affidavit would be a ground for cancellation of bail of the appellant by the learned court below.

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

(Birendra Kumar, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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